


OFFICE OF THE GENERAL COUNSEL  
Nevada State Board of Medical Examiners  
9600 Gateway Drive  
Reno, Nevada 89521  
(775) 688-2559

BEFORE THE BOARD OF MEDICAL EXAMINERS  
OF THE STATE OF NEVADA

\* \* \* \* \*

In the Matter of Charges and  
Complaint Against:  
RONALD HOPE FOOTE, M.D.,  
Respondent.

Case No. 19-12899-1

FILED  
JUN - 7 2021  
NEVADA STATE BOARD OF  
MEDICAL EXAMINERS  
By: 

STIPULATION AND ORDER OF REVOCATION

The Investigative Committee (IC) of the Nevada State Board of Medical Examiners (Board), by and through Aaron Bart Fricke, Esq., Senior Deputy General Counsel for the Board and attorney for the IC, and Ronald Hope Foote, M.D. (Respondent), a physician with an expired license to practice medicine in Nevada, assisted by his attorney Daniel H. Stewart, Esq., of the law firm Hutchison & Steffen, PLLC, hereby enter into this Stipulation and Order of Revocation (Stipulation) based on the following:<sup>1</sup>

**A. BACKGROUND**

1. Respondent is a medical doctor currently licensed in expired status by the Board pursuant to Chapter 630 of the Nevada Revised Statutes (NRS) and Chapter 630 of the Nevada Administrative Code (NAC) (collectively, the Medical Practice Act). His license was originally issued on December 4, 1999 (License No. 9240).

2. On September 6, 2019, pursuant to a Settlement Agreement approved and accepted by the Board, Respondent admitted to all Counts, I through VIII, of the formal Complaint filed in this Case No. 19-12899-1, as set forth in the Complaint: Count I, violation of NRS 630.301(9) (Disreputable Conduct); Count II, violation of NRS 630.306(1)(c) (Engaging in Conduct That Violated

<sup>1</sup> All agreements and admissions made by Respondent are solely for final disposition of these matters and any subsequent related administrative proceedings or civil litigation involving the Board and Respondent. Therefore, Respondent's agreements and admissions are not intended or made for any other use, such as in the context of another state or federal government regulatory agency proceeding, state or federal civil or criminal proceeding, any state or federal court proceeding, or any credentialing or privileges matter.

1 Pharmacy Board Regulations); Count III, violation of NRS 630.306(1)(b)(2) (Violation of  
2 Standards of Practice); Count IV, violation of NRS 630.3062(1)(a) (Failure to Maintain Complete  
3 Medical Records); Count V, violation of NRS 630.306(1)(b)(2) (Violation of Standards of  
4 Practice); Count VI, violation of NRS 630.3062(1)(a) (Failure to Maintain Complete Medical  
5 Records); Count VII, violation of NRS 630.306(1)(b)(2) (Violation of Standards of Practice);  
6 Count VIII, violation of NRS 630.3062(1)(a) (Failure to Maintain Complete Medical Records).

7 For these admitted violations, the Board ordered that Respondent's license to practice medicine in  
8 Nevada be revoked, with the revocation immediately stayed and his license placed on probation  
9 for a period of sixty (60) months, subject to various terms and conditions, including but not  
10 limited to the following: (1) he shall reinstate his license, providing all regularly required  
11 documentation and paying all required fees, by June 30, 2020; (2) he shall comply with and  
12 complete all terms and conditions of any criminal sanctions incurred before or during the period of  
13 the Agreement, specifically including but not limited to Eighth Judicial District Court of the State  
14 of Nevada, Case No. C-18-335993-1, including probation or parole, including full compliance  
15 with and successful completion of the all terms of that suspension of sentence and probation  
16 imposed in that case pursuant to NRS 453.3363.

17 3. As provided in the Settlement Agreement and Order, if Respondent fails to  
18 demonstrate compliance with the terms and conditions of the Agreement within sixty (60) months,  
19 or otherwise violates the terms of the Agreement or the Medical Practice Act, then the IC shall be  
20 authorized to immediately suspend Respondent's license to practice medicine in Nevada, pending  
21 a duly noticed Order To Show Cause Hearing to take place within sixty (60) days of the  
22 suspension. If the violation of the Agreement or the Medical Practice Act is proved after such  
23 hearing, pursuant to the express terms of the Agreement, the stay of revocation shall be lifted, and  
24 Respondent's license shall be revoked. In such case, pursuant to NRS 622A.410(1), Respondent  
25 may not apply for reinstatement of his medical license for a period of five (5) years from the date  
26 of the Board's final order of revocation.

27 4. On March 26, 2021, in Case No. 19-12899-1, the IC filed a formal Notice of  
28 Violation of Board Order and Order to Show Cause on Revocation of Licensure (Order to Show

1 Cause) charging Respondent with violating the Settlement Agreement and Order. Specifically,  
2 the Order to Show Cause alleges:

3 a. First Cause of Action for Revocation – Pursuant to the Settlement  
4 Agreement and Order, paragraph 5(b), Respondent agreed and was ordered to reinstate his license,  
5 providing all regularly required documentation and paying all required fees, by June 30, 2020.  
6 Respondent did not reinstate his license by June 30, 2020, had not provided any of the regularly  
7 required documents nor paid any of the required fees, and has not done so as of the date of the  
8 filing of the Order to Show Cause, more than eight (8) months later. Accordingly, pursuant to the  
9 Settlement Agreement and Order, paragraph 5(c), and by reason of the foregoing misconduct of  
10 the Respondent, and in light of Respondent’s repeated failures to comply with the Medical  
11 Practice Act and the orders of the Board throughout the entirety of his licensure by the Board, and  
12 for the protection and benefit of the public, the Board has abundant good cause to lift its stay of  
13 revocation, and thereby revoke Respondent’s license to practice medicine.

14 b. Second Cause of Action for Revocation – Pursuant to the Settlement  
15 Agreement and Order, paragraph 5(c)(5), Respondent agreed and was ordered to comply with and  
16 complete all terms and conditions of any criminal sanctions incurred before or during the period of  
17 the Agreement, specifically including but not limited to Eighth Judicial District Court of the State  
18 of Nevada, Case No. C-18-335993-1, including probation or parole, including full compliance  
19 with and successful completion of the all terms of that suspension of sentence and probation  
20 imposed in that case pursuant to NRS 453.3363. Respondent violated paragraph 5(c)5, of the  
21 Settlement Agreement and Order as specifically alleged in the Order to Show Cause. Pursuant to  
22 paragraph 5(c), and by reason of the foregoing misconduct of the Respondent, and in light of  
23 Respondent’s repeated failures to comply with the Medical Practice Act and the orders of the  
24 Board throughout the entirety of his licensure by the Board, and for the protection and benefit of  
25 the public, the Board has abundant good cause to lift its stay of revocation, and thereby revoke  
26 Respondent’s license to practice medicine.

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1           5.       By reason of the foregoing, Respondent is subject to discipline by the Board as  
2 provided in NRS 630.352, and according to the express conditions of the Settlement Agreement  
3 and Order.

4           6.       Respondent was properly served with a copy of the Order to Show Cause, has  
5 reviewed and understands the Order to Show Cause, and has had the opportunity to consult with  
6 competent counsel concerning the nature and significance of the Order to Show Cause.

7           7.       Respondent is hereby advised of his rights regarding these administrative matters,  
8 and of his opportunity to defend against the allegations in the Order to Show Cause. Specifically,  
9 Respondent has certain rights in these administrative matters as set out by the United States  
10 Constitution, the Nevada Constitution, the Medical Practice Act, the Nevada Open Meeting Law  
11 (OML), which is contained in NRS Chapter 241, and the Nevada Administrative Procedure Act  
12 (APA), which is contained in NRS Chapter 233B. These rights include the right to a formal  
13 hearing on the allegations in the Order to Show Cause, the right to representation by counsel, at  
14 his own expense, in the preparation and presentation of his defense, the right to confront and  
15 cross-examine the witnesses and evidence against him, the right to written findings of fact,  
16 conclusions of law and order reflecting the final decision of the Board, and the right to judicial  
17 review of the Board's order, if the decision is adverse to him.

18           8.       Respondent understands that, under the Board's charge to protect the public by  
19 regulating the practice of medicine, the Board may take disciplinary action against Respondent's  
20 license, including license probation, license suspension, license revocation and imposition of  
21 administrative fines, as well as any other reasonable requirement or limitation, if the Board  
22 concludes that Respondent violated one or more provisions of the Medical Practice Act.

23           9.       Respondent understands and agrees that this Stipulation, by and between  
24 Respondent and the IC, is not with the Board, and that the IC will present this Stipulation to the  
25 Board for consideration in open session at a duly noticed and scheduled meeting. Respondent  
26 understands that the IC shall advocate for the Board's approval of this Stipulation, but that the  
27 Board has the right to decide in its own discretion whether or not to approve this Stipulation.

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1 Respondent further understands and agrees that if the Board approves this Stipulation, then the  
2 terms and conditions enumerated below shall be binding and enforceable upon him and the Board.

3 **B. TERMS & CONDITIONS**

4 **NOW, THEREFORE**, in order to resolve the matters addressed herein, i.e., the matters  
5 with regard to the Order to Show Cause, Respondent and the IC hereby agree to the following  
6 terms and conditions:

7 1. **Jurisdiction**. Respondent is, and at all times relevant to the Order to Show Cause  
8 has been, a physician with an expired license to practice medicine in Nevada subject to the  
9 jurisdiction of the Board as set forth in the Medical Practice Act.

10 2. **Representation by Counsel/Knowing, Willing and Intelligent Agreement**.  
11 Respondent acknowledges he is represented by counsel, and wishes to resolve the matters  
12 addressed herein with said counsel. Respondent agrees that if representation by counsel in this  
13 matter materially changes prior to entering into this Stipulation and for the duration of this  
14 Stipulation, that counsel for the IC will be timely notified of the material change. Respondent  
15 agrees that he knowingly, willingly and intelligently enters into this Stipulation after deciding to  
16 have a full consultation with and upon the advice of legal counsel.

17 3. **Waiver of Rights**. In connection with this Stipulation, and the associated terms  
18 and conditions, Respondent knowingly, willingly and intelligently waives all rights in connection  
19 with these administrative matters. Respondent hereby knowingly, willingly and intelligently  
20 waives all rights arising under the United States Constitution, the Nevada Constitution, the  
21 Medical Practice Act, the OML, the APA, and any other legal rights that may be available to him  
22 or that may apply to him in connection with the administrative proceedings resulting from the  
23 Order to Show Cause filed in this matter, including defense of the Order to Show Cause,  
24 adjudication of the allegations set forth in the Order to Show Cause, and imposition of any  
25 disciplinary actions or sanctions ordered by the Board. Respondent agrees to settle and resolve the  
26 allegations of the Order to Show Cause as set out by this Stipulation, without a hearing or any  
27 further proceedings and without the right to judicial review.

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1           **4.       Acknowledgement of Reasonable Basis to Proceed.** Respondent acknowledges  
2 that the IC believes it has a reasonable basis to allege that Respondent engaged in conduct that is  
3 grounds for discipline pursuant to the Medical Practice Act. The IC acknowledges that  
4 Respondent is agreeing to resolve this matter to avoid the costs of hearing and potential  
5 subsequent litigation. Respondent asserts that if these matters were to proceed to hearing, he has  
6 evidence, witnesses, expert witness(es) and defenses to the count/claim alleged in the Order to  
7 Show Cause, but for the purposes of resolving these matters and for no other purpose, Respondent  
8 waives the presentation of evidence, witnesses, expert witnesses, and defenses in order to  
9 effectuate this Stipulation.

10           **5.       Consent to Entry of Order.** In order to resolve the Order to Show Cause pending  
11 against Respondent, Respondent hereby agrees that the Board may issue an order finding that  
12 Respondent engaged in conduct that is grounds for discipline pursuant to the Medical Practice  
13 Act. Accordingly, the following terms and conditions are hereby agreed upon:

14                   a.       Respondent admits to the First Cause of Action for Revocation, violation of  
15 paragraph 5(b) of the Settlement Agreement and Order, as Respondent did not reinstate his license  
16 by June 30, 2020, and did not provide any of the regularly required documents, nor pay any of the  
17 required fees, and had not done so as of the date of the filing of the Order to Show Cause, more  
18 than eight (8) months later.

19                   b.       The Second Cause of Action for Revocation shall be dismissed with  
20 prejudice.

21                   c.       Pursuant to the Settlement Agreement and Order, paragraph 5(c), by reason  
22 of the foregoing, and in light of Respondent's extensive disciplinary history, and for the protection  
23 and benefit of the public, good cause appearing, the Board hereby lifts its stay of revocation, and  
24 thereby revokes Respondent's license to practice medicine in the State of Nevada. Pursuant to  
25 NRS 622A.410(1), and hereby specifically amending the Settlement Agreement and Order as  
26 follows, Respondent may not apply for reinstatement of his medical license for a period of three  
27 (3) years from the date of the Board's final order of revocation.

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1           d. All remaining or outstanding terms and conditions of the Settlement  
2 Agreement and Order, and all previous agreements with and orders of the Board, shall remain in  
3 full force and effect, and Respondent shall demonstrate full compliance with such terms and  
4 conditions upon application for and as a condition of obtaining licensure in the future, specifically  
5 but not limited to the following:

6           (1) Respondent shall complete the University of San Diego, Physician  
7 Assessment and Competency Evaluation Program (PACE), Competency Assessment, and, if  
8 recommended by PACE, the Fitness For Duty (FFD) evaluation, and pass all of the above to the  
9 satisfaction of the Board;

10          (2) Respondent shall comply with and complete all terms and conditions of any  
11 criminal sanctions incurred before or during the period of this agreement, specifically including  
12 but not limited to Eighth Judicial District Court of the State of Nevada, Case No. C-18-335993-1,  
13 including probation or parole, including full compliance with and successful completion of the all  
14 terms of that suspension of sentence and probation imposed in that case pursuant to  
15 NRS 453.3363.

16          (3) Respondent shall remain subject to an agreement with and comply with all  
17 recovery and monitoring activities of the Nevada Professional's Assistance Program (NPAP)  
18 through at least September 2026, which agreement with NPAP shall include a monitoring  
19 agreement that includes toxicology monitoring, behavioral monitoring, mutual help group  
20 attendance monitoring, and treatment monitoring, as directed by NPAP. During this period,  
21 Respondent shall completely abstain from all alcohol, controlled substances or dangerous drugs,  
22 except those prescribed by a physician other than himself for a bona fide medical purpose. After  
23 that seven-year period, Respondent may petition the Board for discontinuance of NPAP  
24 participation.

25          (4) Respondent shall remain prohibited from working in a setting where he is  
26 alone with female patients until further order of the Board. Respondent shall only be permitted to  
27 interact with female patients when he has a verifiable chaperone present to observe his  
28 interactions with female patients. The name of said chaperone shall be documented and indicated

1 within each medical record. Respondent shall continue to obtain therapy with a certified sex  
2 addiction therapist or equivalent on at least a monthly basis, and the Board may monitor these  
3 limitations and provisions indefinitely and until further order of the Board.

4 e. The costs and expenses incurred in the investigation and prosecution of the  
5 allegation of the Order to Show Cause shall be waived, and no additional fines assessed.

6 f. This Agreement shall be reported to the appropriate entities and parties as  
7 required by law, including, but not limited to, the National Practitioner Data Bank.

8 **6. Release From Liability.** In execution of this Stipulation, Respondent understands  
9 and agrees that the State of Nevada, the Board, and each of its members, staff, counsel,  
10 investigators, experts, peer reviewers, committees, panels, hearing officers, consultants and agents  
11 are immune from civil liability for any decision or action taken in good faith in response to  
12 information acquired by the Board. NRS 630.364(2)(a). Respondent agrees to release the  
13 State of Nevada, the Board, and each of its members, staff, counsel, investigators, experts, peer  
14 reviewers, committees, panels, hearing officers, consultants and agents from any and all manner of  
15 actions, causes of action, suits, debts, judgments, executions, claims and demands whatsoever,  
16 known and unknown, in law or equity, that Respondent ever had, now has, may have or claim to  
17 have, against any or all of the persons, government agencies or entities named in this paragraph  
18 arising out of, or by reason of, this investigation, this Stipulation or the administration of the case  
19 referenced herein.

20 **7. Procedure for Adoption of Stipulation** The IC and counsel for the IC shall  
21 recommend approval and adoption of the terms and conditions of this Stipulation by the Board in  
22 resolution of the Order to Show Cause at an upcoming Board meeting at the Board's earliest  
23 convenience. Respondent hereby waives notice of the same, whether under the United States  
24 Constitution, the Nevada Constitution, the Medical Practice Act, the OML, the APA, or otherwise.  
25 In the course of seeking Board acceptance, approval and adoption of this Stipulation, counsel for  
26 the IC may communicate directly with the Board staff and the adjudicating members of the Board.

27 Respondent acknowledges that such contacts and communications may be made or  
28 conducted ex-parte, without notice or opportunity to be heard on his part until the public Board



1 meeting where this Stipulation is discussed, and that such contacts and communications may  
2 include, but may not be limited to, matters concerning this Stipulation, the Order to Show Cause  
3 and any and all information of every nature whatsoever related to these matters. The IC and its  
4 counsel agree that Respondent and/or Counsel for the Respondent may appear at the Board  
5 meeting where this Stipulation is discussed and, if requested, respond to any questions that may be  
6 addressed to the IC or the IC's counsel.

7 **8. Effect of Acceptance of Stipulation by Board.** In the event the Board accepts,  
8 approves and adopts this Stipulation, the Board shall issue a final order, making this Stipulation an  
9 order of the Board, and, pending full compliance with the terms herein, the case shall be closed  
10 and any and all remaining claims arising out of the Order to Show Cause shall be dismissed with  
11 prejudice.

12 **9. Effect of Rejection of Stipulation by Board.** In the event the Board does not  
13 accept, approve and adopt this Stipulation, this Stipulation shall be null, void and of no force and  
14 effect except as to the following Stipulation regarding adjudications: (1) Respondent agrees that,  
15 notwithstanding rejection of this Stipulation by the Board, nothing contained in this Stipulation  
16 and nothing that occurs pursuant to efforts of the IC to seek the Board's acceptance of this  
17 Stipulation shall disqualify any member of the adjudicating panel of the Board from considering  
18 the Order to Show Cause and from participating in disciplinary proceedings against Respondent,  
19 including adjudication of this case; and (2) Respondent further agrees that he shall not seek to  
20 disqualify any such member absent evidence of bad faith.

21 **10. Binding Effect.** If approved by the Board, Respondent understands that this  
22 Stipulation is a binding and enforceable contract upon Respondent and the Board.

23 **11. Forum Selection Clause.** The parties agree that in the event either party is  
24 required to seek enforcement of this Stipulation in district court, the parties consent to such  
25 jurisdiction and agree that jurisdiction shall be in the Second Judicial District Court,  
26 State of Nevada, Washoe County.

27 **12. Attorneys' Fees and Costs.** The parties agree that in the event an action is  
28 commenced in district court to enforce any provision of this Stipulation, the prevailing party shall

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be entitled to recover reasonable attorneys' fees and costs.

13. **Failure to Comply With Terms.** Should Respondent fail to comply with any term or condition of this Stipulation once the Stipulation has been accepted, approved and adopted by the Board, the IC shall be authorized to immediately suspend Respondent's license to practice medicine in Nevada pending an Order To Show Cause Hearing on revocation, which will be duly noticed. Failure to comply with the terms of this Stipulation, including failure to pay any fines, costs, expenses or fees owed to the Board, is a failure to comply with an order of the Board, which may result in additional disciplinary action being taken against Respondent. NRS 630.3065(2)(a). Further, Respondent's failure to remit payment to the Board for monies agreed to be paid as a condition of this Stipulation may subject Respondent to any civil and administrative collection efforts available.

DATED this \_\_\_\_ day of \_\_\_\_\_, 2021.

INVESTIGATIVE COMMITTEE OF THE  
NEVADA STATE BOARD OF MEDICAL EXAMINERS

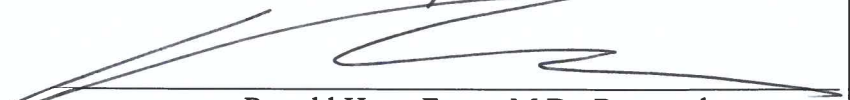
By: \_\_\_\_\_  
Aaron Bart Fricke, Esq., Senior Deputy General Counsel  
Attorney for the Investigative Committee

DATED this 12<sup>th</sup> day of April, 2021.

HUTCHISON & STEFFEN, PLLC

By:   
Daniel H. Stewart, Esq., Attorney for Respondent

DATED this 12<sup>th</sup> day of April, 2021.


  
Ronald Hope Foote, M.D., Respondent

1 be entitled to recover reasonable attorneys' fees and costs.

2           **13. Failure to Comply With Terms.** Should Respondent fail to comply with any term  
3 or condition of this Stipulation once the Stipulation has been accepted, approved and adopted by  
4 the Board, the IC shall be authorized to immediately suspend Respondent's license to practice  
5 medicine in Nevada pending an Order To Show Cause Hearing on revocation, which will be duly  
6 noticed. Failure to comply with the terms of this Stipulation, including failure to pay any fines,  
7 costs, expenses or fees owed to the Board, is a failure to comply with an order of the Board, which  
8 may result in additional disciplinary action being taken against Respondent. NRS 630.3065(2)(a).  
9 Further, Respondent's failure to remit payment to the Board for monies agreed to be paid as a  
10 condition of this Stipulation may subject Respondent to any civil and administrative collection  
11 efforts available.

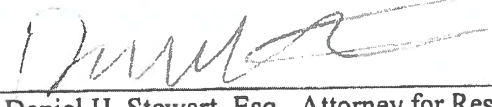
12 DATED this 14 day of April, 2021.

13 INVESTIGATIVE COMMITTEE OF THE  
14 NEVADA STATE BOARD OF MEDICAL EXAMINERS

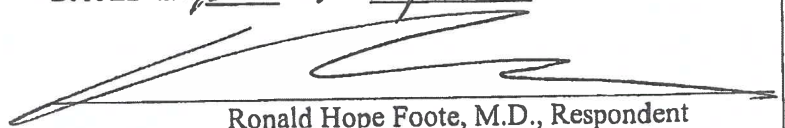
15 By:   
16 Aaron Bart Fricke, Esq., Senior Deputy General Counsel  
17 Attorney for the Investigative Committee

18 DATED this 12<sup>th</sup> day of April, 2021.

19 HUTCHISON & STEFFEN, PLLC

20 By:   
21 Daniel H. Stewart, Esq., Attorney for Respondent  
22

23 DATED this 12<sup>th</sup> day of April, 2021.

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25 Ronald Hope Foote, M.D., Respondent  
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**ORDER**

**IT IS HEREBY ORDERED**, that the foregoing Stipulation and Order (Case No. 19-12899-1) was approved and accepted by the Nevada State Board of Medical Examiners on the 4th day of June, 2021.

DATED this 4<sup>th</sup> day of June, 2021.

NEVADA STATE BOARD OF MEDICAL EXAMINERS

By:   
RACHAKONDA D. PRABHU, M.D.  
*President*