

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

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

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In The Matter of an Investigation)	Case No. 09-11127-1
Regarding)	
YUN SZU YEH, M.D.,)	FILED
Respondent.)	OCT 06 2009
)	NEVADA STATE BOARD OF MEDICAL EXAMINERS

**CONSENT AGREEMENT FOR REVOCATION OF LICENSE TO
PRACTICE MEDICINE IN THE STATE OF NEVADA**

This Consent Agreement is hereby entered into by and between the Nevada State Board of Medical Examiners (the "Board"), composed of Charles N. Held, M.D., Benjamin J. Rodriguez, M.D., Ms Renee West, Javaid Anwar, M.D., Ms. Jean Stoess, M.A., S. Daniel McBride, M.D., Mr. Van V. Heffner, and Beverly A. Neyland, M.D., by and through General Counsel, Edward O. Cousineau, and Yun Szu Yeh, M.D. (Respondent), through his counsel of record, Kathleen Janssen, Esq., as follows:

WHEREAS, the Board initiated an investigation related to Respondent's professional conduct in the state of Nevada after learning that on July 13, 2009, the State of Arizona charged Respondent on 14 felony counts for allegedly writing illegal drug prescriptions for patients at a clinic he operated in Mohave County, Arizona. The 14 felony counts against Respondent include conspiracy, assisting a criminal syndicate, money laundering and administering narcotic drugs. Respondent has pled not guilty and his criminal case is pending; and

WHEREAS, on July 21, 2009, Respondent voluntarily surrendered his controlled substance prescribing privileges in the states of Arizona and Nevada; and

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1 **WHEREAS**, the allegations against Respondent charged in the Arizona Criminal
2 Complaint, if true, would constitute violations of Nevada law. Further, Respondent admits that
3 the acts described above, if accepted by the finder of fact, would establish grounds for discipline
4 pursuant to NRS Chapter 630; and

5
6 **WHEREAS**, Respondent acknowledges that he has read and understands this Consent
7 Agreement and has stipulated to its contents. In addition, Respondent acknowledges that he is
8 represented by counsel herein, whom Respondent covenants and agrees is fully capable, competent,
9 and fully advised in these circumstances and Respondent further covenants and agrees that he enters
10 into this Agreement knowingly, willingly, and intelligently after full consultation with counsel; and

11 **WHEREAS**, in execution of this Consent Agreement, the Respondent, for himself, his
12 executors, successors and assigns, hereby releases and forever discharges the state of Nevada, the
13 Board, the Nevada Attorney General, and each of their members, agents and employees in their
14 representative capacities, and in their individual capacities, from any and all manner of actions,
15 causes of action, suits, debts, judgments, executions, claims and demands whatsoever, known and
16 unknown, in law or equity, that Respondent ever had, now has, may have or claim to have,
17 against any or all of the persons or entities named in this paragraph arising out of or by reason of
18 this Consent Agreement or its administration; and

19
20 **WHEREAS**, Respondent understands and agrees that this Consent Agreement shall be
21 given consideration in open session at a meeting duly noticed and scheduled, and that Board counsel
22 shall advocate for its acceptance, but that the Board has the right to decide in its own discretion
23 whether or not to approve this Consent Agreement; and

24 **WHEREAS**, Respondent understands and agrees that if the Board approves the terms,
25 covenants and conditions of this Consent Agreement, then the terms, covenants and conditions
26 enumerated below shall be binding and enforceable upon him; and
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1 WHEREAS, if the Board does not adopt this Consent Agreement, Respondent will not assert as
2 a defense that the Board's consideration of this Consent Agreement constitutes bias, prejudice,
3 prejudgment or other similar defense; and

4 WHEREAS, this Consent Agreement, once approved and signed, is a matter of public
5 record that will be publicly disseminated as a formal action of the Board and will be reported to
6 the National Practitioner Data Bank and on the Board's website; and

7 WHEREAS, if any part of the Consent Agreement is later declared void or otherwise
8 unenforceable, the remainder of the Consent Agreement in its entirety shall remain in force and
9 effect.

10 NOW THEREFORE, in order to resolve the above captioned matter, Respondent and the
11 Board hereby agree to the following terms, covenants and conditions:

12 1. Jurisdiction. Respondent is, and at all times mentioned in the above-captioned
13 matter was, a physician licensed to practice medicine in the State of Nevada subject to the
14 jurisdiction of the Board to hear and adjudicate charges of violations of the Medical Practice Act
15 (NRS 630), and to impose sanctions as provided by the Act.

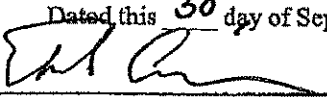
16 2. Admissions. All admissions made by Respondent are solely for final disposition
17 of this matter and any subsequent related administrative proceedings or civil litigation involving
18 the Board and Respondent. Therefore, said admissions by Respondent are not intended or made
19 for any other use, such as in the context of another state or federal government regulatory agency
20 proceeding, state or federal civil or criminal court proceeding, or any other state or federal court.

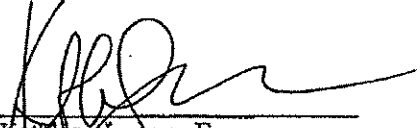
21 3. Waiver of Rights. In connection with this Consent Agreement, and the terms,
22 covenants and conditions contained herein, Respondent knowingly, willingly and intelligently, with
23 the advice of above identified counsel, waives all rights arising under or pursuant to the United
24 States Constitution (except the privilege against self-incrimination and the attorney-client privilege),
25 the Constitution of the State of Nevada, NRS Chapter 630 and NRS Chapter 233B that may be
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1 available to him or that may apply to him, and Respondent further agrees that the matter may be
2 settled and resolved in accordance with this Consent Agreement without a hearing or any further
3 proceeding, and without the right to judicial review. In the event this Consent Agreement is not
4 approved by the Board, this Agreement shall have no force and effect and Respondent shall have all
5 rights arising under or pursuant to the United States Constitution, the Constitution of the State of
6 Nevada, NRS Chapter 630 and NRS Chapter 233B that may be available to him or that may apply to
7 him in connection with a subsequent proceeding by the Board.

8 4. Consent to Entry of Order. In order to negate the costs and expenses related to a
9 protracted investigation and potential prosecution related to the aforementioned criminal filing in
10 the state of Arizona, Respondent hereby agrees and does not contest that an order may be entered
11 herein by the Board finding that Respondent's license to practice medicine in the state of Nevada
12 shall be permanently revoked, that Respondent shall be prohibited from ever reapplying for medical
13 licensure in the state of Nevada, and that Respondent agrees to pay \$2,000.00 in investigative fees
14 and costs, payable to the Nevada State Board of Medical Examiners within sixty (60) days of
15 acceptance, adoption and approval of this Agreement by the Board.

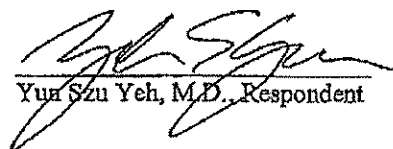
16 Dated this 30th day of September, 2009

17 
18 Edward O. Cousineau
19 Attorney for the
20 Nevada State Board of Medical Examiners


Kathleen Janssen, Esq.
Attorney for Respondent

21 I, Yun Szu Yeh, M.D., hereby agree to the foregoing Consent Agreement in relation to
22 Nevada State Board of Medical Examiners Case No. 09-11127-1.

23 Dated this 16 day of September, 2009.

24 
25 Yun Szu Yeh, M.D., Respondent
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IT IS SO ORDERED that the above consent agreement for revocation of license to practice medicine in the state of Nevada be accepted in regards to Yun Szu Yeh, M.D., Case #09-11127-1
Done in open session this 6th day of October, 2009.



Charles N. Held, President
Nevada State Board of Medical Examiners