

1 BEFORE THE ARIZONA MEDICAL BOARD

2 In the Matter of

3 **RALPH T. HO, M.D.**

4 Holder of License No. 36993
5 For the Practice of Allopathic Medicine
6 In the State of Arizona.

Case No. MD-11-1107A

**ORDER FOR LETTER OF REPRIMAND
AND PROBATION AND CONSENT TO
THE SAME**

7 Ralph T. Ho, M.D. ("Respondent") elects to permanently waive any right to a
8 hearing and appeal with respect to this Order for Letter of Reprimand and Probation;
9 admits the jurisdiction of the Arizona Medical Board ("Board"); and consents to the entry of
10 this Order by the Board.

11 **FINDINGS OF FACT**

12 1. The Board is the duly constituted authority for the regulation and control of
13 the practice of allopathic medicine in the State of Arizona.

14 2. Respondent is the holder of license number 36993 for the practice of
15 allopathic medicine in the State of Arizona.

16 3. The Board initiated case number MD-11-1107A after receiving a Disciplinary
17 Action Report indicating that conditions were placed on Respondent's North Dakota
18 medical license by the North Dakota Medical Board for unprofessional conduct.

19 4. On September 4, 2010, Respondent was arrested for driving under the
20 influence while on call to provide locum tenens radiology services for a health facility in
21 Grand Forks, North Dakota. On September 21, 2010, the charge of driving under the
22 influence was amended to reckless driving.

23 5. On July 12, 2011, Respondent entered into a stipulation with the North
24 Dakota Medical Board that provided there was basis for disciplinary action against
25 Respondent for engaging in unprofessional conduct due to the DUI arrest while on call.

1 The North Dakota Board believed that, although Respondent did not provide any services
2 while intoxicated, his behavior constituted unprofessional conduct likely to harm the public.
3 Effective July 22, 2011, Respondent's North Dakota medical license was suspended for a
4 period of one year. However, the suspension was stayed, provided that Respondent
5 complied with the conditions as set forth in the stipulation including obtaining an alcohol
6 evaluation and complying with any recommendations.

7 6. On July 29, 2011, Respondent underwent an evaluation by the Nevada
8 Professionals Assistance Program (NPAP). On August 16, 2011, Respondent entered into
9 a two year monitoring agreement with the NPAP for alcohol and other addicting
10 substances. As of November 16, 2011, Respondent was reported to be in compliance with
11 all conditions of his monitoring agreement. In addition to Arizona, Respondent also holds
12 active medical licenses in Tennessee, Nevada, Georgia, and Florida.

13 CONCLUSIONS OF LAW

14 1. The Board possesses jurisdiction over the subject matter hereof and over
15 Respondent.

16 2. The conduct and circumstances described above constitute unprofessional
17 conduct pursuant to A.R.S. § 32-1401(27)(f) (“[h]abitual intemperance in the use of alcohol
18 or habitual substance abuse.”)

19 3. The conduct and circumstances described above constitute
20 unprofessional conduct pursuant to A.R.S. § 32-1401(27)(o) (“[a]ction that is taken against
21 a doctor of medicine by another licensing or regulatory jurisdiction due to that doctor's
22 mental or physical inability to engage safely in the practice of medicine, the doctor's
23 medical incompetence or for unprofessional conduct as defined by that jurisdiction and
24 that corresponds directly or indirectly to an act of unprofessional conduct prescribed by
25 this paragraph. The action taken may include refusing, denying, revoking or suspending a

1 license by that jurisdiction or a surrendering of a license to that jurisdiction, otherwise
2 limiting, restricting or monitoring a licensee by that jurisdiction or placing a licensee on
3 probation by that jurisdiction.”)

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5 ORDER

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7 IT IS HEREBY ORDERED THAT:

8 A. Respondent is issued a Letter of Reprimand.

9 B. Respondent is placed on Probation for **two years** with the following terms and
10 conditions:

11 1. Respondent shall comply with the terms of the two year monitoring
12 agreement entered into with the Nevada Professionals Assistance Program (NPAP).
13 Respondent shall cause NPAP to provide written quarterly reports to the Board’s Physician
14 Health Program (PHP) Monitor regarding Respondent’s attendance, participation, and
15 monitoring.

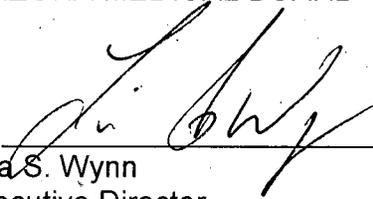
16 2. NPAP and Respondent shall immediately notify the Board’s PHP Monitor if
17 Respondent: a) is non-compliant with any aspect of the monitoring requirements; b)
18 relapses; c) tests positive for controlled substances; d) has low specific gravity urine drug
19 test(s), missed and/or late urine drug tests, or otherwise rejected urine drug tests; and e) is
20 required to undergo any additional treatment.

21 3. The probation shall terminate upon successful completion of the NPAP
22 monitoring agreement.

23 DATED AND EFFECTIVE this 4th day of April, 2012.



ARIZONA MEDICAL BOARD

By 
Lisa S. Wynn
Executive Director

CONSENT TO ENTRY OF ORDER

1 Respondent has read and understands this Consent Agreement and the
2 stipulated Findings of Fact, Conclusions of Law and Order ("Order"). Respondent
3 acknowledges he has the right to consult with legal counsel regarding this matter.
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2. Respondent acknowledges and agrees that this Order is entered into freely
and voluntarily and that no promise was made or coercion used to induce such entry.

3. By consenting to this Order, Respondent voluntarily relinquishes any rights to
a hearing or judicial review in state or federal court on the matters alleged, or to challenge
this Order in its entirety as issued by the Board, and waives any other cause of action
related thereto or arising from said Order.

4. The Order is not effective until approved by the Board and signed by its
Executive Director.

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

6. Upon signing this agreement, and returning this document (or a copy thereof)
to the Board's Executive Director, Respondent may not revoke the consent to the entry of
the Order. Respondent may not make any modifications to the document. Any

1 modifications to this original document are ineffective and void unless mutually approved
2 by the parties.

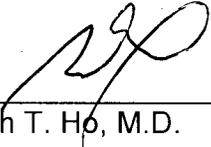
3 7. This Order is a public record that will be publicly disseminated as a formal
4 disciplinary action of the Board and will be reported to the National Practitioner's Data
5 Bank and on the Board's web site as a disciplinary action.

6 8. If any part of the Order is later declared void or otherwise unenforceable, the
7 remainder of the Order in its entirety shall remain in force and effect.

8 9. If the Board does not adopt this Order, Respondent will not assert as a
9 defense that the Board's consideration of the Order constitutes bias, prejudice,
10 prejudgment or other similar defense.

11 10. Any violation of this Order constitutes unprofessional conduct and may result
12 in disciplinary action. A.R.S. § § 32-1401(27)(r) ("[V]iolating a formal order, probation,
13 consent agreement or stipulation issued or entered into by the board or its executive
14 director under this chapter") and 32-1451.

15 **11. Respondent has read and understands the conditions of probation.**

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Ralph T. Ho, M.D.

DATED: _____

3/9/12

19
20 EXECUTED COPY of the foregoing mailed
this 4th day of April, 2012 to:

21 Ralph T. Ho, M.D.
22 ADDRESS OF RECORD

23 EXECUTED COPY of the foregoing mailed
24 this 4th day of April, 2012 to:

25 Sucher & Greenberg, P.C.
Address on file

1 ORIGINAL of the foregoing filed
2 this 14 day of April, 2012 with:

3 Arizona Medical Board
4 9545 E. Doubletree Ranch Road
5 Scottsdale, AZ 85258

6 
7 Arizona Medical Board Staff