

1 **BEFORE THE ARIZONA MEDICAL BOARD**

2 In the Matter of

3 **RALPH M. FALK, M.D.**

4 Holder of License No. 15549  
5 For the Practice of Allopathic Medicine  
6 In the State of Arizona.

**Case No. MD-20-0245A**

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

7 Ralph M. Falk, M.D. ("Respondent") elects to permanently waive any right to a  
8 hearing and appeal with respect to this Order for a Letter of Reprimand; admits the  
9 jurisdiction of the Arizona Medical Board ("Board"); and consents to the entry of this Order  
10 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 15549 for the practice of  
15 allopathic medicine in the State of Arizona.

16 3. The Board initiated case number MD-20-0245A after receiving Respondent's  
17 renewal application on or about February 12, 2020 wherein Respondent reported a DUI  
18 that allegedly occurred on December 11, 2019.

19 4. On December 11, 2018, Respondent was arrested for DUI in New  
20 Hampshire subsequent to a traffic stop. Respondent's BAC was noted to be 0.239 by  
21 breathalyzer. On March 8, 2019, Respondent pled guilty to DWI-first offense and was  
22 sentenced to terms and conditions of probation, including completion of substance use  
23 disorder screening and compliance with any service plan developed from the evaluation.

24 5. Respondent provided a status letter indicating that he complied with the  
25 terms and conditions of the service plan established by an Impaired Driver Care  
Management Program provider, including completion of a substance use disorder

1 evaluation, ten sessions of aftercare counseling and a 20 hour Impaired Driver Education  
2 Program.

3 6. On December 4, 2019, the New Hampshire Board of Medicine (“New  
4 Hampshire Board”) issued Respondent a Letter of Concern for failing to provide  
5 notification regarding the DWI charge within 30 days.

6 7. On August 20, 2020, the Executive Director issued an Interim Order for PHP  
7 Assessment, requiring Respondent to schedule a PHP Assessment within 14 days, and  
8 complete it within 30 days of the date of the Interim Order. Respondent failed to complete  
9 the Assessment as required by the Interim Order, and failed to respond to requests for a  
10 narrative response to the alleged violation of a Board Order.

11 **CONCLUSIONS OF LAW**

12 a. The Board possesses jurisdiction over the subject matter hereof and over  
13 Respondent.

14 b. The conduct and circumstances described above constitute unprofessional  
15 conduct pursuant to A.R.S. § 32-1401(27)(a) (“Violating any federal or state laws or rules  
16 and regulations applicable to the practice of medicine.”). Specifically, Respondent violated  
17 A.R.S. § 32-3208(A) (“A health professional who has been charged with a misdemeanor  
18 involving conduct that may affect patient safety or a felony after receiving or renewing a  
19 license or certificate must notify the health professional's regulatory board in writing within  
20 ten working days after the charge is filed.”).

21 c. The conduct and circumstances described above constitute unprofessional  
22 conduct pursuant to A.R.S. § 32-1401(27)(s) (“Violating a formal order, probation, consent  
23 agreement or stipulation issued or entered into by the board or its executive director under  
24 the provisions of this chapter.”).

25

1 d. The conduct and circumstances described above constitute unprofessional  
2 conduct pursuant to A.R.S. § 32-1401(27)(ee) ("Failing to furnish information in a timely  
3 manner to the board or the board's investigators or representatives if legally requested by  
4 the board.")..

5 **ORDER**

6 IT IS HEREBY ORDERED THAT:

7 1. Respondent is issued a Letter of Reprimand.

8  
9 DATED AND EFFECTIVE this 27<sup>th</sup> day of October, 2021.

10 ARIZONA MEDICAL BOARD

11  
12 By Patricia E. McSorley  
13 Patricia E. McSorley  
14 Executive Director

15 **CONSENT TO ENTRY OF ORDER**

16 1. Respondent has read and understands this Consent Agreement and the  
17 stipulated Findings of Fact, Conclusions of Law and Order ("Order"). Respondent  
18 acknowledges he has the right to consult with legal counsel regarding this matter.

19 2. Respondent acknowledges and agrees that this Order is entered into freely  
20 and voluntarily and that no promise was made or coercion used to induce such entry.

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

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

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

7           6. Notwithstanding any language in this Order, this Order does not preclude in  
8 any way any other State agency or officer or political subdivision of this state from  
9 instituting proceedings, investigating claims, or taking legal action as may be appropriate  
10 now or in the future relating to this matter or other matters concerning Respondent,  
11 including but not limited to, violations of Arizona's Consumer Fraud Act. Respondent  
12 acknowledges that, other than with respect to the Board, this Order makes no  
13 representations, implied or otherwise, about the views or intended actions of any other  
14 state agency or officer or political subdivisions of the State relating to this matter or other  
15 matters concerning Respondent.

16           7. Upon signing this agreement, and returning this document (or a copy thereof)  
17 to the Board's Executive Director, Respondent may not revoke the consent to the entry of  
18 the Order. Respondent may not make any modifications to the document. Any  
19 modifications to this original document are ineffective and void unless mutually approved  
20 by the parties.

21           8. This Order is a public record that will be publicly disseminated as a formal  
22 disciplinary action of the Board and will be reported to the National Practitioner's Data  
23 Bank and on the Board's web site as a disciplinary action.

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

10. Respondent has read and understands the terms of this agreement.

Ralph M. Falk, M.D. DATED: 9/10/21  
RALPH M. FALK, M.D.

EXECUTED COPY of the foregoing mailed this 27<sup>th</sup> day of October, 2021 to:

Ralph M. Falk, M.D.  
Address of Record

ORIGINAL of the foregoing filed this 27<sup>th</sup> day of October, 2021 with:

Arizona Medical Board  
1740 West Adams, Suite 4000  
Phoenix, Arizona 85007

*Sorry for late  
response as  
I was away  
until Sept 9  
R. Falk*

Michelle Robles  
Board staff