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**BEFORE THE
MEDICAL BOARD OF CALIFORNIA
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA**

In the Matter of the Accusation Against,

YUN SZU YEH, M.D.
7901 Roxburgh Castle Avenue
Las Vegas, NV 89117

Physician's and Surgeon's Certificate No. A65313

Respondent.

MBC Case No. 16-2009-200705

OAH No. 2010050073

**DEFAULT DECISION
AND ORDER**

[Gov. Code, §11520]

On October 27, 2009, an employee of the Medical Board of California ("Board") sent by certified mail a copy of Accusation No. 16-2009-200705, Statement to Respondent, Notice of Defense in blank, copies of the relevant sections of the California Administrative Procedure Act as required by sections 11503 and 11505 of the Government Code, and Request for Discovery, to Yun Szu Yeh, M.D. ("Respondent") at his address of record with the Board, 7901 Roxburgh Castle Avenue, Las Vegas, NV 89117. Respondent failed to respond to the Accusation, and the package was returned by the Post Office as not deliverable-unable to forward. On February 18, 2010, a First Amended Accusation, along with a Supplemental Statement to Respondent, was served on Respondent at the address of record set forth above, as well as to an address obtained from the Arizona Medical Board, 404 Martin Luther King Blvd, Suite A, Las Vegas, NV 89032. The green certified mail receipt for the package sent to the Martin Luther King Blvd. address was signed and returned, but Respondent failed to respond to the First Amended Accusation. On March 26, 2010, an employee of the Attorney General's Office sent to Respondent by regular and certified mail a Courtesy Notice of Default, addressed to both of the addresses set forth above, advising him of the action against his California license

1 and providing him with an additional opportunity to present a Notice of Defense. In a letter dated
2 April 20, 2010, which was treated as a Notice of Defense, respondent indicated his desire to
3 respond to the charges in the Accusation, provided a current address of 300 North Royal Ascot
4 Drive, Las Vegas, NV 89144. Thereafter, on June 21, 2010, an employee of the Medical Board
5 sent to Respondent by certified mail a Second Amended Accusation and Supplemental Statement
6 to Respondent, addressed to both the Roxburgh Castle Avenue and North Royal Ascot Drive
7 addresses. The certified mail receipt for the package sent to the North Royal Ascot Drive address
8 was signed and returned. The Second Amended Accusation is the operative pleading in this
9 action. (The Second Amended Accusation Package, along with the proof of service and return
10 receipt is submitted herewith as Exhibit 1; the Courtesy Notice of Default is submitted as Exhibit
11 2; Respondent's April 20, 2010 letter/Notice of Defense is submitted as Exhibit 3)

12 On April 30, 2010, a Notice of Hearing was served by certified mail and by
13 regular mail on Respondent at both the Roxburgh Castle Avenue (address of record) and N. Royal
14 Ascot Drive addresses, advising him that an administrative hearing in this matter was scheduled
15 for September 2, 2010. The certified mail receipt for the Notice of Hearing sent to the N. Royal
16 Ascot Drive address was signed and returned. (Copies of the Notice of Hearing and proof of
17 service are submitted as Exhibit 4)

18 Respondent failed to appear at the September 2, 2010 hearing. Deputy Attorney
19 General Jane Zack Simon appeared on behalf of the Complainant. Administrative Law Judge
20 Melissa Crowell found that proper notice of the hearing had been provided, and declared
21 Respondent to be in default.

22 The Medical Board of California now proceeds to take action based upon the
23 Second Amended Accusation, declarations and documentary evidence on file in accordance with
24 Government Code sections 11505(a) and 11520.

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1 **FINDINGS OF FACT**

2 I.

3 Linda K. Whitney is the Executive Director of the Medical Board of California
4 and the Complainant in this proceeding. The charges and allegations in the Second Amended
5 Accusation were brought and maintained and made solely in official capacity of the Board's
6 Executive Director.

7 II.

8 On May 22, 1998, Physician's and Surgeon's Certificate No. A65313 was issued
9 by the Board to Yun Szu Yeh, M.D. The certificate is delinquent, having expired on January 31,
10 2006, and is in SUSPENDED status by virtue of an order issued on May 17, 2010 pursuant to
11 Business and Professions Code section 2310(a.) (The license certification and a printout of the
12 Board's website information for respondent are submitted as Exhibit 5)

13 III.

14 Respondent was duly served with the Second Amended Accusation, alleging
15 causes for discipline against him. Respondent filed a Notice of Defense. Respondent thereafter
16 failed to appear at a duly noticed hearing, and Respondent was declared to be in default.

17 IV.

18 The allegations of the Second Amended Accusation are true as follows:

19 On July 20, 2009, the Arizona Medical Board issued an Interim Consent
20 Agreement for Practice Restriction ("Interim Consent Agreement") regarding Respondent's
21 license to practice in Arizona. Under the terms of the Interim Consent Agreement, Respondent
22 was ordered not to practice clinical medicine or any medicine involving direct patient care and
23 was prohibited from prescribing any form of treatment including prescription medication until he
24 had applied to and received permission from the Arizona Medical Board to do so. The Interim
25 Consent agreement was based on Findings of Fact that on July 13, 2009, Respondent was
26 criminally charged by the State of Arizona on 14 felony counts for writing illegal drug
27 prescriptions; that he collected \$3.5 million in fraudulent insurance claims. The criminal counts
28

1 include conspiracy, assisting a criminal syndicate, money laundering and administering narcotic
2 drugs. On October 7, 2009, the Arizona Medical Board issued an Order for Surrender of License
3 and Consent to Same. At this time, the Arizona Medical Board made factual findings that its
4 initial investigation was based on a complaint regarding a patient's medical record, and thereafter,
5 on the criminal charges as set forth above. Respondent agreed to surrender his Arizona license.
6 (Copies of the Interim Consent Agreement and Order For surrender of License issued by the
7 Arizona Medical Board are attached to the Second Amended Accusation, Exhibit 1.)

8 On October 6, 2009, the Nevada State Board of Medical Examiners issued a
9 Consent Agreement for Revocation of License to Practice Medicine in the State of Nevada. The
10 Nevada action was based on the Arizona criminal case described above, and rather than undergo
11 an investigation and prosecution in Nevada, Respondent elected to stipulate to the revocation of
12 his Nevada license. (A copy of the Consent Agreement for Revocation of License to Practice
13 Medicine in the State of Nevada is attached to the Second Amended Accusation,
14 Exhibit 1.)

15 DETERMINATION OF ISSUES

16 I.

17 Pursuant to the foregoing Findings of Fact, Respondent's conduct and the action
18 of the Arizona Medical Board and the Nevada State Board of Medical Examiners constitute
19 cause for discipline within the meaning of Business and Professions Code sections 2305 and
20 141(a).

21 DISCIPLINARY ORDER

22 Physician's and Surgeon's Certificate No. A65313 issued to Yun Szu Yeh, M.D. is
23 hereby **REVOKED**.

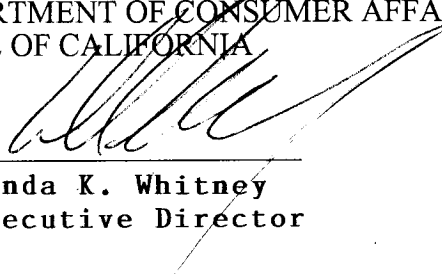
24 Respondent shall not be deprived of making a request for relief from default as set
25 forth in Government Code section 11520(c) for good cause shown. However, such showing must
26 be made in writing by way of a motion to vacate the default decision and directed to the
27 Medical Board of California at 2005 Evergreen Street, Suite 1200, Sacramento, CA 95815 (with a
28

1 copy of such request served on Deputy Attorney General Jane Zack Simon) within seven (7) days
2 of the service of this Decision.

3 This Decision will become effective October 21, 2010.

4
5 DATED: September 23, 2010

6 MEDICAL BOARD OF CALIFORNIA
7 DEPARTMENT OF CONSUMER AFFAIRS
8 STATE OF CALIFORNIA

9 By 
10 Linda K. Whitney
11 Executive Director
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1 EDMUND G. BROWN JR.
Attorney General of California
2 JOSE R. GUERRERO
Supervising Deputy Attorney General
3 JANE ZACK SIMON
Deputy Attorney General
4 State Bar No. 116564
455 Golden Gate Avenue, Suite 11000
5 San Francisco, CA 94102-7004
Telephone: (415) 703-5544
6 Fax: (415) 703-5480
E-mail: Janezack.simon@doj.ca.gov
7 *Attorneys for Complainant*
Medical Board of California
8

9
10 **BEFORE THE**
MEDICAL BOARD OF CALIFORNIA
DEPARTMENT OF CONSUMER AFFAIRS
11 **STATE OF CALIFORNIA**
12
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14 In the Matter of the First Amended Accusation Against:

Case No. 16-2009-200705

15 **YUN SZU YEH, M.D.,**
7901 Roxburgh Castle Avenue
16 Las Vegas, NV 89117

SECOND AMENDED ACCUSATION

17 Physician's and Surgeon's
Certificate No. A65313

18 Respondent.
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21 The Complainant alleges:

22 1. Complainant Linda K. Whitney is the Executive Director of the Medical
23 Board of California, Department of Consumer Affairs, and brings this Second Amended
24 Accusation ("Accusation") solely in her official capacity.

25 2. On or about May 22, 1998, Physician's and Surgeon's Certificate No.
26 A65313 was issued by the Medical Board of California to Yun Szu Yeh, M.D. (hereinafter
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///

1 “respondent.”) Said certificate is delinquent with an expiration date of January 31, 2006, and was
2 SUSPENDED on May 17, 2010 pursuant to Business and Professions Code §2310(a.)

3 4 JURISDICTION

5 3. This Accusation is brought before the Medical Board of California¹,
6 (hereinafter the “Board”) under the authority of the following sections of the California Business
7 and Professions Code (hereinafter “Code”) and/or other relevant statutory enactment:

8 A. Section 2227 of the Code provides in part that the Board may
9 revoke, suspend for a period not to exceed one year, or place on probation, the license of
10 any licensee who has been found guilty under the Medical Practice Act, and may recover
11 the costs of probation monitoring.

12 B. Section 2305 of the Code provides, in part, that the revocation,
13 suspension, or other discipline, restriction or limitation imposed by another state upon a
14 license to practice medicine issued by that state, that would have been grounds for
15 discipline in California under the Medical Practice Act, constitutes grounds for discipline
16 for unprofessional conduct.

17 C. Section 141 of the Code provides:

18
19 “(a) For any licensee holding a license issued by a board under
20 the jurisdiction of a department, a disciplinary action taken by another state, by
21 any agency of the federal government, or by another country for any act
22 substantially related to the practice regulated by the California license, may be
23 ground for disciplinary action by the respective state licensing board. A certified
24 copy of the record of the disciplinary action taken against the licensee by another
25 state, an agency of the federal government, or by another country shall be
26 conclusive evidence of the events related therein.

27 “(b) Nothing in this section shall preclude a board from applying
28 a specific statutory provision in the licensing act administered by the board that
provides for discipline based upon a disciplinary action taken against the licensee
by another state, an agency of the federal government, or another country.”

1. As used herein, the term “Board” means the Medical Board of California. As used
herein, “Division of Medical Quality” shall also be deemed to refer to the Board.

1 **FIRST CAUSE FOR DISCIPLINE**

2 (Discipline, Restriction, or Limitation Imposed by Other States)

3 4. On or about July 20, 2009, the Arizona Medical Board issued an Interim
4 Consent Agreement for Practice Restriction ("Interim Consent Agreement") regarding
5 respondent's license to practice medicine in Arizona. Under the terms of the Interim Consent
6 Agreement, respondent was ordered not to practice clinical medicine or any medicine involving
7 direct patient care and was prohibited from prescribing any form of treatment including
8 prescription medication until he has applied to and received permission from the Arizona Medical
9 Board to do so. The Interim Consent Agreement was based on Findings of Fact that on July 13,
10 2009, respondent was criminally charged by the State of Arizona on 14 felony counts for writing
11 illegal drug prescriptions; that he collected \$3.5 million in fraudulent insurance claims. The
12 criminal counts include conspiracy, assisting a criminal syndicate, money laundering and
13 administering narcotic drugs. A copy of the Interim Consent Agreement issued by the Arizona
14 Medical Board is attached as Exhibit A.

15 On or about October 7, 2009, the Arizona Medical Board issued an Order
16 For Surrender of License and Consent to Same. At this time, the Arizona Medical Board made
17 factual findings that its initial investigation was based on a complaint regarding a patient's
18 medical record, and that thereafter, on the criminal charges as set forth above. Respondent agreed
19 to surrender his Arizona license. A copy of the Order For Surrender of License and Consent to
20 Same is attached as Exhibit B.

21 5. On or about October 6, 2009, the Nevada State Board of Medical
22 Examiners issued a Consent Agreement for Revocation of License to Practice Medicine in the
23 State of Nevada. The Nevada action was based on the Arizona criminal case described above,
24 and rather than undergo an investigation and prosecution in Nevada, respondent elected to
25 stipulate to the revocation of his Nevada license. A copy of the Consent Agreement for
26 Revocation of License to Practice Medicine in the State of Nevada is attached as Exhibit C.

27 ///

6. Respondent's conduct and the actions of the Arizona Medical Board and the Nevada State Board of Medical Examiners as set forth above constitute unprofessional conduct within the meaning of section 2305 and conduct subject to discipline within the meaning of section 141(a).

PRAYER

WHEREFORE, the complainant requests that a hearing be held on the matters herein alleged, and that following the hearing, the Board issue a decision:

1. Revoking or suspending Physician's and Surgeon's Certificate Number
A65313 heretofore issued to respondent Yun Szu Yeh, M.D.;

2. Revoking, suspending or denying approval of the respondent's authority to supervise physician assistants;

3. Ordering respondent, if placed on probation, to pay the costs probation monitoring; and

4. Taking such other and further action as the Board deems necessary and proper.

DATED: June 21, 2010

LINDA K. WHITNEY
Executive Director
Medical Board of California
Department of Consumer Affairs
State of California

Complainant

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40385632.doc

Exhibit A



Arizona Medical Board

9545 E. Doubletree Ranch Road • Scottsdale, AZ 85258-5514
Telephone: 480-551-2700 • Toll Free: 877-255-2212 • Fax: 480-551-2707
Website: www.azmd.gov • E-Mail: questions@azmd.gov

I, Christi Banys, of the Arizona Medical Board, hereby certify that I am the official custodian of the records of the agency; and that the attached documents are true and complete copies of the documents requested regarding:

Physician Name: Albert S.Y. Yeh, M.D.

License Number: 32323

Attached are the following document(s):

Document Name:

Physician Profile
Interim Consent Agreement for Practice Restriction, Dated July 20, 2009

Document (# of pages) 6

DATED this 31st day of July, 2009

ARIZONA MEDICAL BOARD

[SEAL]

Christi Banys
Custodian of Records

BEFORE THE ARIZONA MEDICAL BOARD

In the Matter of

ALBERT SZU YUN YEH, M.D.

Holder of License No. 32323
For the Practice of Allopathic Medicine
In the State of Arizona.

Case No. MD-09-0882A

INTERIM CONSENT AGREEMENT
FOR PRACTICE RESTRICTIONINTERIM CONSENT AGREEMENT

By mutual agreement and understanding, between the Arizona Medical Board ("Board") and Albert Szu Yun Yeh, M.D., ("Respondent") the parties agree to the following disposition of this matter.

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

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

3. This Interim Consent Agreement will not become effective until signed by the Executive Director.

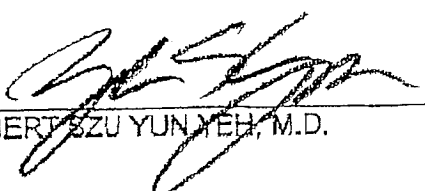
4. All admissions made by Respondent are solely for interim disposition of this matter and any subsequent related administrative proceedings or civil litigation involving the Board and Respondent. Therefore, said admissions by Respondent are not intended or made for any other use, such as in the context of another state or federal government

1 regulatory agency proceeding, civil or criminal court proceeding, in the State of Arizona or
2 any other state or federal court.

3 5. Respondent may not make any modifications to the document. Upon
4 signing this agreement, and returning this document (or a copy thereof) to the Executive
5 Director, Respondent may not revoke acceptance of the Interim Consent Agreement.
6 Any modifications to this Interim Consent Agreement are ineffective and void unless
7 mutually approved by the parties.

8 6. This Interim Consent Agreement, once approved and signed, is a public
9 record that will be publicly disseminated as a formal action of the Board and will be
10 reported to the National Practitioner Databank and on the Board's website.

11 7. If any part of the Interim Consent Agreement is later declared void or
12 otherwise unenforceable, the remainder of the Interim Consent Agreement in its entirety
13 shall remain in force and effect.

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15 
16 ALBERT ZHU YUN YEH, M.D.
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Dated: 7/17/09

FINDINGS OF FACT

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

4 2. Respondent is the holder of License No. 32082 for the practice of allopathic
5 medicine in the State of Arizona.

6 3. On July 13, 2009, the State of Arizona charged Respondent on 14 felony
7 counts for allegedly writing illegal drug prescriptions for patients at a clinic he operated in
8 Mohave County. The criminal charges also alleged that Respondent collected \$3.5 million
9 in fraudulent insurance claims, including \$2.5 million from the State of Arizona. The 14
10 felony counts against Respondent include conspiracy, assisting a criminal syndicate,
11 money laundering and administering narcotic drugs.

CONCLUSIONS OF LAW

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

15 2. If there is evidence of danger to the public health and safety, the Board or
16 the Executive Director may enter into a consent agreement with a physician to protect the
17 public and ensure the doctor's ability to safely engage in the practice of medicine. A.R.S.
18 § 32-1405(C)(25) and § 32-1451(F); A.A.C. R4-16-504.

19 3. Based on the information in the Board's possession there is evidence that if
20 Respondent were to practice medicine in Arizona, there would be a danger to the public
21 health and safety.

ORDER

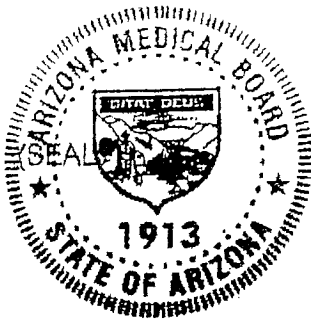
22
23 IT IS HEREBY ORDERED THAT:

24 1. Respondent shall not practice clinical medicine or any medicine involving
25 direct patient care, and is prohibited from prescribing any form of treatment including

1 prescription medications, until Respondent applies to the Board and receives permission
2 to do so.

3 2. This is an interim order and not a final decision by the Board regarding the
4 pending investigative file and as such is subject to further consideration by the Board.

5 DATED AND EFFECTIVE this 20th day of July, 2009.



ARIZONA MEDICAL BOARD

By *L. S. Wynn*
Lisa S. Wynn
Executive Director

12 ORIGINAL of the foregoing filed this
13 20th day of July, 2009 with:

14 The Arizona Medical Board
15 9545 East Doubletree Ranch Road
Scottsdale, AZ 85258

16 EXECUTED COPY of the foregoing
17 Mailed this 20th day of July, 2009 to:

18 Paul Giancola, Esq.
19 Snell & Wilmer
20 One Arizona Center
400 East Van Buren
21 Phoenix, Arizona 85004

22 *Chris Danner*
23 Arizona Medical Board Staff

Exhibit B



Arizona Medical Board

9545 E. Doubletree Ranch Road • Scottsdale, AZ 85258-5514
Telephone: 480-551-2700 • Toll Free: 877-255-2212 • Fax: 480-551-2707
Website: www.azmd.gov • E-Mail: questions@azmd.gov

I, Christi Banyas, of the Arizona Medical Board, hereby certify that I am the official custodian of the records of the agency; and that the attached documents are true and complete copies of the documents requested regarding:

Physician Name: Albert S.Y. Yeh, M.D.

License Number: 32323

Attached are the following document(s):

Document Name:

Physician Profile

Order for Surrender of License and Consent to Same, Dated October 7, 2009

Document (# of pages) 7

DATED this 23rd day of November, 2009

ARIZONA MEDICAL BOARD

[SEAL]

Christi Banyas
Custodian of Records

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BEFORE THE ARIZONA MEDICAL BOARD

In the Matter of

ALBERT SZU YUN YEH, M.D.

Holder of License No. 32323
For the Practice of Medicine
In the State of Arizona.

Case Nos. MD-09-0246A
MD-09-0320A
MD-09-0882A

ORDER FOR SURRENDER OF
LICENSE AND CONSENT TO SAME

CONSENT AGREEMENT

Albert Szu Yun Yeh, M.D. ("Respondent") elects to permanently waive any right to a hearing and appeal with respect to this Order for Surrender of License; admits the jurisdiction of the Arizona Medical Board ("Board"); and consents to the entry of this Order by the Board.

FINDINGS OF FACT

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

2. Respondent is the holder of license number 32323 for the practice of allopathic medicine in the State of Arizona.

3. The Board initiated case number MD-09-0246A on February 13, 2009, based on a complaint from Kingman Regional Medical Center about referring patients to the Emergency Department. The Board initiated case number MD-09-0320A on March 2, 2009, based on a complaint about a patient's medical record. Respondent incorrectly documented a diagnosis of fibromyalgia, when the diagnosis was myalgia, and he incorrectly documented that the patient had low to normal blood pressure. The Board initiated case number MD-09-0882A after learning that the Drug Enforcement Administration investigated Respondent and that on July 13, 2009, the State of Arizona charged Respondent with 14 felony counts for allegedly writing illegal drug prescriptions

1 for patients at a clinic he operated in Mohave County. The 14 felony counts against
2 Respondent include conspiracy, assisting a criminal syndicate, money laundering and
3 administering narcotic drugs. Respondent has pled not guilty and his criminal case is
4 pending.

5 4. On July 20, 2009, in case number MD-09-0882A, Respondent signed an
6 Interim Consent Agreement for Practice Restriction ("Practice Restriction") prohibiting him
7 from practicing clinical medicine or any medicine involving direct patient care, and
8 prohibiting him from prescribing any form of treatment including prescription medications,
9 until he applies to the board and receives permission to do so. Respondent remains under
10 the Practice Restriction.

11 5. Respondent admits that the acts described above, if accepted by the finder
12 of fact, would establish unprofessional conduct pursuant to A.R.S. §32-1401(27)(d)
13 ("[c]ommitting a felony, whether or not involving moral turpitude. In either case, conviction by
14 any court of competent jurisdiction or a plea of no contest is conclusive evidence of the
15 commission"), A.R.S. §32-1401(27)(e)("[f]ailing or refusing to maintain adequate records
16 on a patient."), and A.R.S. §32-1401(27)(t)("[k]nowingly making any false or fraudulent
17 statement, written or oral, in connection with the practice of medicine or if applying for
18 privileges or renewing an application for privileges at a health care institution.").

19 CONCLUSIONS OF LAW

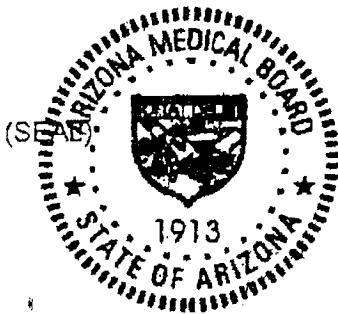
20 1. The Board possesses jurisdiction over the subject matter hereof and over
21 Respondent.

22 2. The Board possesses statutory authority to enter into a consent agreement
23 with a physician and accept the surrender of an active license from a physician who
24 admits to having committed an act of unprofessional conduct. A.R.S. § 32-1451(T)(2).

25 ORDER

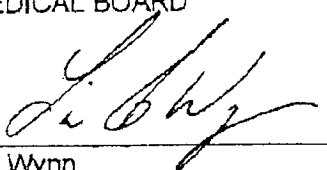
1 IT IS HEREBY ORDERED THAT Respondent immediately surrender License
2 Number 32323, issued to Albert Szu Sun Yeh, M.D. for the practice of allopathic medicine
3 in the State of Arizona, and return his wallet card and certificate of licensure to the Board.

4
5 DATED and effective this 7TH day of OCTOBER, 2009.



ARIZONA MEDICAL BOARD

By:


Lisa S. Wynn
Executive Director

12 **CONSENT TO ENTRY OF ORDER**

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

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

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

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

24 5. All admissions made by Respondent are solely for final disposition of this
25 matter and any subsequent related administrative proceedings or civil litigation involving
the Board and Respondent. Therefore, said admissions by Respondent are not intended

1 or made for any other use, such as in the context of another state or federal government
2 regulatory agency proceeding, civil or criminal court proceeding, in the State of Arizona or
3 any other state or federal court.

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

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

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

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

17
18 
19 ALBERT SZLYUN YEH, M.D.

Dated: 9/10/2009

1 EXECUTED COPY of the foregoing mailed by
2 US Mail this 7 day of ~~October~~, 2009 to:

3 Albert Szu Yun Yeh, M.D.
4 Address of Record

5 EXECUTED COPY of the foregoing mailed by
6 US Mail this 7 day of ~~October~~, 2009 to:

7 Paul Giancola, Esq.
8 Snell & Wilmer, L.L.P.
9 One Arizona Center
10 400 East Van Buren
11 Phoenix, Arizona 85004

12 ORIGINAL of the foregoing filed this
13 7 day of ~~October~~, 2009 with:

14 The Arizona Medical Board
15 9545 East Doubietree Ranch Road
16 Scottsdale, AZ 85258

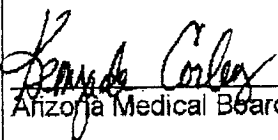
17 
18 _____
19 Arizona Medical Board Staff

Exhibit C

ORIGINAL

BEFORE THE BOARD OF MEDICAL EXAMINERS
OF THE STATE OF NEVADA

* * * * *

In The Matter of an Investigation

Case No. 09-11127-1

Regarding

FILED

YUN SZU YEH, M.D.,

OCT 06 2009

Respondent.

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

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

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

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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

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

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

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

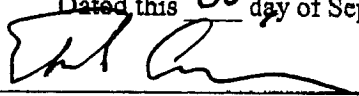
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18 2. **Admissions.** All admissions made by Respondent are solely for final disposition
19 of this matter and any subsequent related administrative proceedings or civil litigation involving
20 the Board and Respondent. Therefore, said admissions by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

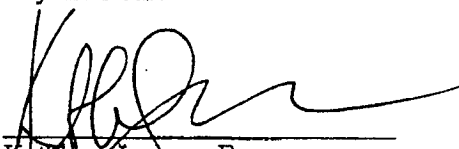
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24 3. **Waiver of Rights.** In connection with this Consent Agreement, and the terms,
25 covenants and conditions contained herein, Respondent knowingly, willingly and intelligently, with
26 the advice of above identified counsel, waives all rights arising under or pursuant to the United
27 States Constitution (except the privilege against self-incrimination and the attorney-client privilege),
28 the Constitution of the State of Nevada, NRS Chapter 630 and NRS Chapter 233B that may be

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.

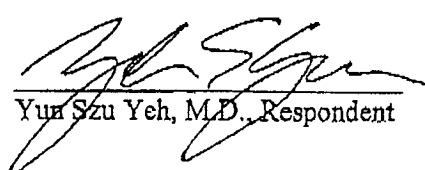
16 Dated this 30th day of September, 2009

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


Kathleen Jansen, 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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27
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OFFICE OF THE GENERAL COUNSEL

Nevada State Board of Medical Examiners

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Reno, Nevada 89502

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

4 

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

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19 STATE OF NEVADA
20 BOARD OF MEDICAL EXAMINERS
21 I certify, as Official Custodian of the records, that this
22 document is a true and correct copy of the original on
23 file in this office.

24 Signed: 

25 Executive Director

26 Date: 4/30/10