

Public

STATE OF NEW YORK DEPARTMENT OF HEALTH  
STATE BOARD FOR PROFESSIONAL MEDICAL CONDUCT

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IN THE MATTER

OF

RYAN PETERSON, M.D.  
CO-12-01-0282-A

COMMISSIONER'S  
SUMMARY  
ORDER

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TO: Ryan Peterson, M.D.

REDACTED

The undersigned, Sue Kelly, Executive Deputy Commissioner of Health, pursuant to New York Public Health Law §230, upon the recommendation of a Committee on Professional Medical Conduct of the State Board for Professional Medical Conduct, has determined that the duly authorized professional disciplinary agency of another jurisdiction, the State of California, Medical Board of California, has made a finding substantially equivalent to a finding that the practice of medicine by **RYAN PETERSON, M.D.**, Respondent, New York license number 239387, in that jurisdiction, constitutes an imminent danger to the health of its people, as is more fully set forth in the Stipulation for Interim Suspension Order dated January 4, 2012, attached, hereto, as Appendix "A," and made a part, hereof.

It is, therefore:

**ORDERED**, pursuant to New York Public Health Law §230(12)(b), that effective immediately, **RYAN PETERSON, M.D.**, shall not practice medicine in the State of New York or in any other jurisdiction where that practice is predicated on a valid New York State license to practice medicine.

**ANY PRACTICE OF MEDICINE IN THE STATE OF NEW YORK IN VIOLATION OF THIS ORDER SHALL CONSTITUTE PROFESSIONAL MISCONDUCT WITHIN THE MEANING OF NEW YORK EDUCATION LAW §6530(29) AND MAY CONSTITUTE UNAUTHORIZED MEDICAL PRACTICE, A FELONY DEFINED BY NEW YORK EDUCATION LAW §6512.**

This Order shall remain in effect until the final conclusion of a hearing which shall commence within thirty (30) days after the final conclusion of the disciplinary proceeding in California.

The hearing will be held pursuant to the provisions of New York Public Health Law §230, and New York State Administrative Procedure Act §§301-307 and 401. The hearing will be conducted before a committee on professional conduct of the State Board for Professional Medical Conduct on a date and at a location to be set forth in a written Notice of Referral Proceeding to be provided to the Respondent after the final conclusion of the New Hampshire proceeding. Said written Notice may be provided in person, by mail, or by other means. If Respondent wishes to be provided said written notice at an address other than that set forth above, Respondent shall so notify, in writing, both the attorney whose name is set forth in this Order, and the Director of the Office of Professional Medical Conduct, at the addresses set forth below.

**RESPONDENT SHALL NOTIFY THE DIRECTOR OF THE OFFICE OF PROFESSIONAL MEDICAL CONDUCT, NEW YORK STATE DEPARTMENT OF HEALTH, RIVERVIEW CENTER, 150 BROADWAY – SUITE 355, ALBANY, NEW YORK 12204-2719, VIA CERTIFIED MAIL, RETURN RECEIPT REQUESTED OF THE FINAL CONCLUSION OF THE PROCEEDING IMMEDIATELY UPON SUCH CONCLUSION.**

THESE PROCEEDINGS MAY RESULT IN A DETERMINATION THAT YOUR  
LICENSE TO PRACTICE MEDICINE IN NEW YORK STATE BE REVOKED OR  
SUSPENDED AND/OR THAT YOU BE FINED OR SUBJECT TO OTHER  
SANCTIONS SET FORTH IN NEW YORK PUBLIC HEALTH LAW §230-a.  
YOU ARE URGED TO OBTAIN AN ATTORNEY TO REPRESENT YOU IN  
THIS MATTER.

DATE: Albany, New York

*Sept. 13*, 2012

REDACTED

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Sue Kelly  
Executive Deputy Commissioner of Health  
New York State Department of Health

Inquires should be directed to:

Jude B. Mulvey  
Associate Counsel  
Bureau of Professional Medical Conduct  
Corning Tower – Room 2512  
Empire State Plaza  
Albany, New York 12237  
(518) 473-4282

1 KAMALA D. HARRIS  
Attorney General of California  
2 GLORIA L. CASTRO  
Supervising Deputy Attorney General  
3 DOUG KNOLL  
Deputy Attorney General  
4 State Bar No. 077040  
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Telephone: (213) 897-6404  
6 Facsimile: (213) 897-9395  
7 *Attorneys for Petitioner*

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

10 In the Matter of the Petition for Interim Order  
11 of Suspension Against:

Case No. 06-2011-217874

12 **RYAN C. PETERSON, M.D.**

OAH No. 201120434

13 Physician's and Surgeon's Certificate  
14 No. A103097

**STIPULATION FOR INTERIM  
SUSPENSION ORDER;  
ORDER THEREON**

15  
16 Respondent.  
17

18 Petitioner Linda K. Whitney ("Petitioner"), Executive Director of the Medical Board of  
19 California ("Board"), by and through her attorney, Kamala D. Harris, Attorney General of the  
20 State of California, by Doug Knoll, Deputy Attorney General, and Respondent, Ryan C. Peterson,  
21 M.D. ("Respondent"), represented in this matter by Theodore A. Cohen, Esq., hereby stipulate  
22 and agree as follows:

23 1. Petitioner has filed a Noticed Petition for Interim Suspension Order against  
24 Respondent, pursuant to Government Code section 11529, based upon the Board's investigation  
25 establishing that Respondent has engaged in various acts involving unprofessional conduct and  
26 dishonesty, as described in the Petition on file in this matter.  
27  
28

1           2.     In order to avoid the time and expense of a hearing on the Petition for Interim  
2 Suspension Order, Petitioner and Respondent hereby stipulate and agree that an Interim  
3 Suspension Order shall be issued by an Administrative Law Judge, on behalf of the Board, as  
4 follows:

5           A.     Respondent shall not practice or attempt to practice any aspect of medicine;

6           B.     Respondent shall not advertise, by any means, or hold himself out as practicing  
7 or available to practice medicine or to supervise assistants;

8           C.     Respondent shall not be present in any location or office which is maintained  
9 for the practice of medicine, or at which medicine is practiced, for any purpose other than  
10 as a patient or as a visitor of family or friends;

11          D.     Respondent shall not possess, order, purchase, receive, prescribe, furnish,  
12 administer, or otherwise distribute controlled substances or dangerous drugs as defined by  
13 federal or state law, other than pursuant to a lawful prescription properly issued to  
14 Respondent by a licensed Physician and Surgeon for a legitimate medical purpose.

15          E.     Respondent shall be required, upon receipt of the Order of Suspension, to  
16 immediately deliver to the Board, or its agent, for safekeeping pending a final  
17 administrative order of the Board in this matter, all indicia of his licensure as a Physician  
18 and Surgeon, as contemplated by Business and Professions Code section 119, including, but  
19 not limited to, his wall certificate and wallet card issued by the Board, as well as all  
20 prescription forms, all prescription drugs not legally prescribed to Respondent by a licensed  
21 treating Physician and Surgeon, all Drug Enforcement Administration Drug Order forms,  
22 and all Drug Enforcement Administration permits.

23     ///

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JAN-04-2012 WED 02:20 PM DEPARTMENT OF JUSTICE

FAX: 121561959 004

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JAN 04 2012

OFFICE OF ADMINISTRATIVE HEARING  
LOS ANGELES

1 3. Petitioner shall have 90 days from the date the Interim Suspension Order is filed,  
2 to file the Accusation in this matter  
3 SO STIPULATED.

REDACTED

4  
5 Dated: December 28, 2011

RYAN C. PETERSON, M.D.  
Respondent

7 Dated: 11/28/11

REDACTED

THEODORE A. COHEN, ESQ.  
Attorney for Respondent

11 Dated: December 30, 2011

Respectfully submitted,  
KAMALA D. HARRIS  
Attorney General of California  
GLORIA L. GASTRO  
Supervising Deputy Attorney General

REDACTED

DOUG KIDLL  
Deputy Attorney General  
Attorneys for Complainant

19 The Interim Suspension Order shall remain in effect  
20 pending a final administrative decision by the Board on the Accusation  
21 IT IS SO ORDERED.

REDACTED

22 Dated: 1/4/12

Presiding

ADMINISTRATIVE LAW JUDGE  
MEDICAL QUALITY HEARING PANEL

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*Attorneys for Complainant*  
7

8 **BEFORE THE**  
9 **MEDICAL BOARD OF CALIFORNIA**  
10 **DEPARTMENT OF CONSUMER AFFAIRS**  
11 **STATE OF CALIFORNIA.**

12 In the Matter of the Accusation Against:

Case No. 06-2011-217874

13 **RYAN C. PETERSON, M.D.**  
1032 NORTH SWEETZER AVENUE, APT. 213  
WEST HOLLYWOOD, CA 90069

OAH No. 2011120434

**ACCUSATION**

14 **PHYSICIAN'S AND SURGEON'S CERTIFICATE**  
15 **NO. A 103097**

16 Respondent.

17  
18  
19 Complainant alleges:

20 PARTIES

21 1. Linda K. Whitney (Complainant) brings this Accusation solely in her official capacity  
22 as the Executive Director of the Medical Board of California, Department of Consumer Affairs.

23 2. On or about March 13, 2008, the Medical Board of California ("Board") issued  
24 Physician's and Surgeon's Certificate Number A 103097 to Ryan C. Peterson, M.D.  
25 ("Respondent"). The Physician's and Surgeon's Certificate was in full force and effect at all  
26 times relevant to the charges brought herein and will expire on August 31, 2013, unless renewed.

27 3. On January 4, 2012, said Certificate was suspended pursuant to an Interim  
28 Suspension Order issued and filed on said date.

7 1





1 Fentanyl<sup>2</sup> and GHB<sup>3</sup> recreationally. Respondent continued using methamphetamine, Fentanyl  
2 and GHB recreationally, increasing his usage until May, 2011, as set forth more specifically  
3 below.

4 9. In 2005, during his internship, Respondent began using Xanax, an anti-anxiety  
5 medication, originally prescribed for sleep problems. He continued using Xanax, eventually  
6 using it for other purposes as set forth more specifically below, until May, 2011.

7 10. Over time, Respondent's methamphetamine use increased, and he began injecting it  
8 intravenously. His intravenous usage escalated to two-or-more multi-day methamphetamine  
9 "binges" per month in 2010. As his methamphetamine usage escalated, he began using the  
10 Xanax to "come down" from methamphetamine binges. He continued injecting  
11 methamphetamine until May 18, 2011.

12 11. Over time, Respondent's Fentanyl use increased. Using Fentanyl to come down from  
13 methamphetamine binges, Respondent's tolerance increased to the point that, from May, 2010,  
14 through November, 2010, he was injecting 1000 mcg of Fentanyl, intravenously, to come down  
15 from methamphetamine binges. As of Spring, 2011, Respondent was injecting 100 to 200 mcg of  
16 Fentanyl two to three times per week, even when not binging on methamphetamine.

17 12. In connection with his use of methamphetamine, Respondent would use GHB (one  
18 half teaspoon with Diet Coke). His use of GHB resulted in overdoses requiring hospitalizations  
19 on at least three occasions.

20 13. In addition to using Xanax and Fentanyl to come down from methamphetamine  
21 binges, Respondent also used (1) Ambien<sup>4</sup>, and (2) benzodiazepines, including midazolam<sup>5</sup>, to  
22 come down from methamphetamine binges.

23 <sup>2</sup> Fentanyl is a potent synthetic narcotic analgesic with rapid onset and short duration of  
24 action. It is approximately 100 times more potent than morphine, and is primarily used, in a  
25 medical setting, to treat pain.

25 <sup>3</sup> GHB (Gamma-Hydroxybutyric Acid) is used in a medical setting to treat conditions such  
26 as insomnia, clinical depression, narcolepsy, and alcoholism. It is used, illegally, as an intoxicant  
27 or as a date-rape drug.

26 <sup>4</sup> Ambien is a sedative-hypnotic that works by slowing activity in the brain to allow sleep.  
27 It is taken orally.

27 <sup>5</sup> Midazolam is given to children before medical procedures, or prior to general anesthesia,  
28 to cause drowsiness, to relieve anxiety, and to prevent memory of the event. It works by slowing

(continued...)

1           14. In 2010, Respondent was fired from a job for diverting drugs for his own personal  
2 use. Subsequently, on August 29, 2011, Respondent went to the Modern Institute of Plastic  
3 Surgery in Beverly Hills, California ("Institute"), where he had briefly been previously employed,  
4 and stole two 50 ml bottles of Propofol, as more specifically set forth in paragraph 21, below.

5           15. In 2011, Respondent began injecting Propofol, intravenously, to come down from  
6 methamphetamine binges, and continued doing so until his May 19, 2011, admission to the  
7 Hazelden drug rehabilitation program in Minnesota ("Hazelden"). During the first half of 2011,  
8 Respondent became addicted to Propofol. During this time, he "wrecked two cars" while under  
9 the influence of Propofol. On another occasion, after injecting Propofol, Respondent fell asleep  
10 with the needle still in his arm, and later awoke in a pool of his own blood.

11           16. During May, 2011, for a period of at least two weeks, Respondent was injecting,  
12 intravenously, at least 70 mg of Propofol every forty-five minutes.

13           17. In mid-May, 2011, while at work as a general anesthesiologist at a surgical center,  
14 Respondent went into the bathroom and injected Propofol intravenously and then proceeded to  
15 administer anesthesia to a patient before leaving for the day. The next day, Respondent decided  
16 to enter treatment at Hazelden.

17           18. Near the end of a 30-day treatment program at Hazelden, Respondent transferred to  
18 the Betty Ford Center, in Rancho Mirage, California, to attend a 60-day rehabilitation program  
19 designed for licensed professionals. He was discharged from that program on or about August  
20 15, 2011.

21           19. Respondent returned to the practice of general anesthesia on August 22, 2011, but  
22 relapsed into his drug use approximately four days later, as set forth more specifically in  
23 paragraph 20, below.

24           20. Despite residing at a sober living community in West Hollywood, and attending the  
25 Healthcare Professionals Monitoring Program at Pacific Assistance Group, Respondent relapsed

26  
27  
28 activity in the brain to allow relaxation and sleep. It is taken orally as a syrup.

1 on or about August 26, 2011, less than two weeks following his discharge from the Betty Ford  
2 Center. He returned to injecting methamphetamine, Fentanyl and Propofol intravenously.

3 21. On August 29, 2011, Respondent went to the Institute, where he had briefly been  
4 previously employed, and stole two 50 ml bottles of Propofol. He immediately went home and  
5 proceeded to inject the entire contents of the two bottles over the next few hours. When  
6 confronted on the telephone later that evening, by one of the physicians at the Institute,  
7 Respondent admitted to stealing the Propofol and stated that he could not return it because he had  
8 already used all of it.

9 22. On September 1, 2011, Respondent re-admitted to the Betty Ford Center and was  
10 discharged again on or about September 30, 2011.

11 23. On January 4, 2012, pursuant to a Stipulation for Interim Suspension Order, an order  
12 was issued suspending Respondent's Physician's & Surgeon's Certificate "pending a final  
13 administrative decision on [this] Accusation." Attached hereto, as Exhibit A, is a true and correct  
14 copy of the order.

15 FIRST CAUSE FOR DISCIPLINE

16 (General Unprofessional Conduct)

17 (Bus. & Prof. Code, § 2234.)

18 24. Respondent is subject to disciplinary action under section 2234 of the Code, in that he  
19 engaged in general unprofessional conduct.

20 25. The circumstances are set forth in paragraphs 8 through 23, which are incorporated  
21 herein by reference.

22 SECOND CAUSE FOR DISCIPLINE

23 (Unprofessional Conduct: Abuse of Dangerous Drugs and Controlled Substances)

24 (Bus & Prof. Code, § 2239.)

25 26. Respondent is subject to disciplinary action under section 2239 of the Code, in that he  
26 engaged in the use of controlled substances and dangerous drugs in such a manner as to be  
27 dangerous and injurious to himself and to patients under his care, and in such a manner as to  
28 impair his ability to practice medicine safely.

1 27. The circumstances are set forth in paragraphs 8 through 23, which are incorporated  
2 herein by reference.

3 THIRD CAUSE FOR DISCIPLINE

4 (Unprofessional Conduct: Dishonest Acts)

5 (Bus. & Prof. Code, § 2234, subdivision(e).)

6 28. Respondent is subject to disciplinary action under section 2234, subdivision (e), of  
7 the Code, in that, on August 29, 2011, he committed an act of dishonesty and corruption  
8 substantially related to the qualifications, functions, and duties of a physician and surgeon.

9 29. The circumstances are set forth in paragraph 21, which is incorporated herein by  
10 reference.

11 PRAYER

12 WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged,  
13 and that following the hearing, the Medical Board of California issue a decision:

14 1. Revoking or suspending Physician's and Surgeon's Certificate Number A 103097  
15 issued to Ryan C. Peterson, M.D.;

16 2. Revoking, suspending or denying approval of Ryan C. Peterson's authority to  
17 supervise physician's assistants, pursuant to section 3527 of the Code;

18 3. Ordering Ryan C. Peterson, M.D. to pay the Medical Board of California the  
19 reasonable costs of probation monitoring if he is placed on probation; and

20 4. Taking such other and further action as deemed necessary and proper.

21  
22  
23 DATED: April 2, 2012

REDACTED

24 LINDA K. WHITNEY  
25 Executive Director  
26 Medical Board of California  
27 Department of Consumer Affairs  
28 State of California  
Complainant

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