

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

In the Matter of the Petition for)	
Reduction of Penalty of:)	
)	
)	
RONALD LAWRENCE LEON, M.D.)	Case No. 800-2016-019952
)	
Physician's and Surgeon's)	OAH No. 2016080739
Certificate No. A 40420)	
)	
Petitioner.)	
_____)	

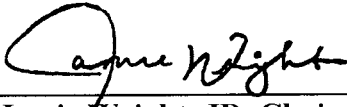
DECISION

The attached Proposed Decision is hereby adopted as the Decision and Order of the Medical Board of California, Department of Consumer Affairs, State of California.

This Decision shall become effective at 5:00 p.m. on February 3, 2017.

IT IS SO ORDERED January 4, 2017.

MEDICAL BOARD OF CALIFORNIA

By: 
Jamie Wright, JD, Chair
Panel A

BEFORE THE
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DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

In the Matter of the Petition for
Reduction of Penalty of:

RONALD LAWRENCE LEON, M.D.,

Physician's and Surgeon's Certificate
No. A 40420

Petitioner.

Case No. 800-2016-019952

OAH No. 2016080739

PROPOSED DECISION

Mary-Margaret Anderson, Administrative Law Judge, State of California, Office of Administrative Hearings, heard this matter on November 10, 2016, in Oakland, California.

Robert W. Hodges, Attorney at Law, represented Petitioner Ronald Lawrence Leon, M.D., who was present.

Carolyne Evans, Deputy Attorney General, represented the Office of the Attorney General, Department of Justice.

The record closed on November 10, 2016.

FACTUAL FINDINGS

Background

1. On September 13, 1983, the Medical Board of California (Board) issued Physician's and Surgeon's Certificate No. A 40420 to Ronald Lawrence Leon, M.D. (Petitioner). Petitioner's certificate will expire on January 31, 2017, unless renewed.

2. Effective June 19, 2013, the Board revoked Petitioner's certificate, stayed the revocation, and placed it on probation for five years pursuant to terms and conditions. The discipline followed an evidentiary hearing resulting in findings of gross negligence and incompetence in that Petitioner engaged in a sexual relationship with a former patient, was

not familiar with governing ethical standards, and violated the ethical standards governing his profession.

The terms of Petitioner's probation include continuing medical education; completion of courses in prescribing practices, ethics, and professional boundaries; a psychiatric evaluation; and psychotherapy.

3. On January 15, 2016, Petitioner signed a Petition for Penalty Relief, requesting early termination of probation. On August 19, 2016, the Attorney General's Office filed a Request to Set and this hearing followed.

Probation compliance

4. Petitioner has completed all of the conditions attached to his probation. The only condition left to fulfill is completion of the five-year term.

Petitioner's evidence

5. Petitioner submitted a narrative statement and testified at hearing. He described himself as "totally humiliated, ashamed and sorry that [he] violated the principles of [his] profession." He initially was upset and blamed A.Y., his former patient. He thought that A.Y. was trying to hurt him personally and professionally. He now accepts that it is "no one's fault but [his] own" and that he "should have known better." Petitioner continues to assert that he did not have a sexual relationship with A.Y., but fully understands and accepts that it was unethical for them to have any type of non-professional relationship. In the statement, he wrote:

The true facts are that I saw the patient's page on Facebook and made contact with him out of curiosity as to how he was doing as I had not seen him as a patient for more than three years. He and I chatted on line a few times and then we met to see a movie and had several other occasions when we were physically in the same location with others including my cabin and my home. Allowing the patient to see me in a setting other than a professional one was inconsistent with my obligation to him and no doubt, led him to believe our relationship was more than a friendship. For this I am regretful and recognize not only that it was a mistake on my part but that the underlying basis for the prohibition is well founded in terms of avoiding transference, dominance/submissive complications, and potential harm to the patient.

6. Petitioner was motivated in part by his economic situation to seek early termination of his probation. It has been expensive and time consuming to complete the requirements. In addition, he is not able to see patients with insurance. Nonetheless, he

stresses that the basis for his request is his thorough understanding that his conduct was wrong, that the classes he took were adequate, and that he has “been compliant with everything that was asked of me and more since the accusation was initially filed back [at] the end of 2011.” Petitioner was forthcoming and credible in his testimony.

7. Ross Andelman, M.D., is the Medical Director, Behavioral Health, Contra Costa Health Services. He wrote a letter in support of Petitioner dated December 7, 2015. Dr. Andelman has known Petitioner for over 10 years. Petitioner shared in detail with him what he learned from the professionalism and continuing education courses. In part, he wrote that Petitioner has

shared with me his recognition that this relationship should have never occurred and that he handled the situation very poorly. He has been contrite, remorseful, and is truly saddened by the events that led to his discipline. I believe that he has learned a great deal through this process and that frankly, further time on probation is not needed to educate or rehabilitate

8. Dwight R. Murray, Ph.D., is a licensed psychologist. He is the past Ethics Chair and a past President of the Contra Costa Psychological Association, and he has worked with Petitioner for many years. In a letter dated December 7, 2015, Dr. Murray opined that Petitioner regrets the actions that brought him discredit and that he fully understands the consequences of those actions. Dr. Murray supports the petition.

9. Hala Fattah, M.D., is the Lead Psychiatrist at East County Adult Mental Health Services, Contra Costa Behavioral Health. In a letter dated December 14, 2015, Dr. Fattah wrote that she has had the opportunity to regularly observe and evaluate Petitioner’s professional performance since July 13, 2010. She opined that he “shows good professional judgment, integrity, credibility and he cares highly for his patients.” Dr. Fattah is aware of the license discipline and strongly supports the early termination of Petitioner’s probation.

LEGAL CONCLUSION

1. The burden of proof is on Petitioner to show by clear and convincing evidence that his term of probation should end before its scheduled time. Business and Professions Code section 2307, subdivision (e), provides that in considering a petition for reinstatement, “all activities of the petitioner since the disciplinary action was taken, the offense for which the petitioner was disciplined, the petitioner’s activities during the time the certificate was in good standing and the petitioner’s rehabilitative efforts, general reputation for truth, and professional ability” may be considered.

2. The underlying facts of this case are egregious. Petitioner was inexcusably unaware of his ethical obligations as a psychiatrist and sought out and engaged in a relationship with a former patient. Petitioner, however, embraced his probationary status and

requirements and has completed all of them except the length of time. His reference letters are solid and his testimony that he will never again commit unprofessional behavior was persuasive. The goals of probation have been met and the risk to patients negligible. It is concluded that Petitioner has met his burden and has demonstrated good cause for early termination of probation. Accordingly, his petition will be granted.

ORDER

The petition of Petitioner Ronald Lawrence Leon, M.D., for early termination of probation is granted. Probation is terminated and Physician's and Surgeon's Certificate No. A 40420 is fully restored.

DATED: December 5, 2016

DocuSigned by:



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MARY-MARGARET ANDERSON

Administrative Law Judge

Office of Administrative Hearings