



STATE OF WASHINGTON
DEPARTMENT OF HEALTH
Olympia, Washington 98504

RE: Jessy E. Ang
 Docket No.: 98-02-A-1054MD
 Document: Statement of Charges

Regarding your request for information about the above-named practitioner, certain information may have been withheld pursuant to Washington state laws. While those laws require that most records be disclosed on request, they also state that certain information should not be disclosed.

The following information has been withheld: **NONE**

If you have any questions or need additional information regarding the information that was withheld, please contact:

Adjudicative Clerk Office
P.O. Box 47879
Olympia, WA 98504-7879
Phone: (360) 236-4677
Fax: (360) 586-2171

You may appeal the decision to withhold any information by writing to Nancy Ellison, Deputy Secretary, Department of Health, P.O. Box 47890, Olympia, WA 98504-7890.

AD

STATE OF WASHINGTON
DEPARTMENT OF HEALTH
MEDICAL QUALITY ASSURANCE COMMISSION

In the Matter of the License to Practice)	
as a Physician and Surgeon of)	Docket No. 98-02-A-1054MD
)	
JESSY E. ANG, MD)	STATEMENT OF CHARGES
License No. MD00018096)	
)	*Program No 96-05-0023MD
Respondent.)	
)	

The Program Manager, on designation by the Commission, makes the allegations below.

Section 1: ALLEGED FACTS

- 1.1 Jessy E. A. Ang, MD, Respondent was issued a license to practice medicine and surgery by the State of Washington in March 1980.
- 1.2 On December 12, 1997, in United States District Court for the Western District of Washington, Respondent pleaded guilty to conspiring to defraud the Small Business Administration, the Internal Revenue Service, federally insured financial institutions, and by using the mail to further schemes to defraud. These acts violate federal law, 18 USC § 371, and are felonies.

Section 2: ALLEGED VIOLATIONS

- 2.1 The violations alleged in this section constitute grounds for disciplinary action pursuant to RCW 18.130.180 and the imposition of sanctions under 18.130.160.
- 2.2 The facts alleged in paragraph 1.2 constitute unprofessional conduct in violation of RCW 18.130.180(1) which provides in part:

STATEMENT OF CHARGES - PAGE 1 OF 3
*For Agency Use Only

REDACTED ORIGINAL

The commission of any act involving moral turpitude, dishonesty, or corruption relating to the practice of the person's profession, whether the act constitutes a crime or not. If the act constitutes a crime, conviction in a criminal proceeding is not a condition precedent to disciplinary action. Upon such a conviction, however, the judgment and sentence is conclusive evidence at the ensuing disciplinary hearing of the guilt of the license holder or applicant of the crime described in the indictment or information, and of the person's violation of the statute on which it is based. For the purposes of this section, conviction includes all instances in which a plea of guilty or nolo contendere is the basis for the conviction and all proceedings in which the sentence has been deferred or suspended. Nothing in this section abrogates rights guaranteed under Chapter 9.96A RCW.

2.3 The facts alleged in paragraph 1.2 constitute unprofessional conduct in violation of RCW 18.130.180(13) which provides in part:

Misrepresentation or fraud in any aspect of the conduct of the business or profession.

2.4 The facts alleged in paragraph 1.2 constitute unprofessional conduct in violation of RCW 18.130.180(17) which provides in part:

Conviction of any gross misdemeanor or felony relating to the practice of the person's profession. For the purposes of this subsection, conviction includes all instances in which a plea of guilty or nolo contendere is the basis for conviction and all proceedings in which the sentence has been deferred or suspended. Nothing in this section abrogates rights guaranteed under chapter 9.96A RCW.

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Section 3: NOTICE TO RESPONDENT

The charges in this document affect the public health, safety and welfare. The Program Manager of the Commission directs that a notice be issued and served on Respondent as provided by law, giving Respondent the opportunity to defend against these charges. If Respondent fails to defend against these charges, Respondent shall be subject to discipline pursuant to RCW 18.130.180 and the imposition of sanctions under 18.130.160.

DATED this 17th day of March, 1998.

STATE OF WASHINGTON
DEPARTMENT OF HEALTH
MEDICAL QUALITY ASSURANCE COMMISSION

Maryella E. Jansen
Maryella E. Jansen
Program Manager

Ed Newcome Jr.
Ed Newcome Jr. WSBA #21612
Assistant Attorney General Prosecutor

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STATE OF WASHINGTON
DEPARTMENT OF HEALTH
Olympia, Washington 98504

RE: Jessy E. Ang
 Docket No.: 98-02-A-1054MD
 Document: Order Granting Motion to Dismiss

Regarding your request for information about the above-named practitioner, certain information may have been withheld pursuant to Washington state laws. While those laws require that most records be disclosed on request, they also state that certain information should not be disclosed.

The following information has been withheld: **NONE**

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STATE OF WASHINGTON
DEPARTMENT OF HEALTH
OFFICE OF PROFESSIONAL STANDARDS

In the Matter of the License to Practice)
as a Physician and Surgeon of:)

JESSY E. ANG, M.D.,)
License No. MD00018096,)

Respondent.)

Docket No. 98-02-A-1054MD

ORDER GRANTING MOTION
TO DISMISS

This matter came before Health Law Judge Arthur E. DeBusschere, Presiding Officer for the Medical Quality Assurance Commission on Respondent's Motion to Dismiss or Withdraw Charges Against Dr. Jessy E. Ang, M.D. (Motion to Dismiss), filed by Daniel R. Kyler, Attorney at Law, representing Dr. Ang (the Respondent). Delia A. Anderson, Assistant Attorney General, is representing the Department of Health (the Department).

I. PROCEDURAL HISTORY

1.1 The Statement of Charges was served upon the Respondent on March 17, 1998, and the Respondent filed an Answer. The Adjudicative Clerk Office issued a Scheduling Order/Notice of Hearing scheduling a prehearing conference for October 5, 1998, and the hearing for November 5, 1998.

1.2 On August 24, 1998, the Respondent filed a Motion to Dismiss, a [proposed] Order Dismissing the Statement of Charges Against Jessy E. Ang, M.D., and an Affidavit of Daniel Kyler in support of the Motion to Dismiss.

1.3 On September 9, 1998, the Department filed a Response to Motion to Dismiss or Withdraw Charges.

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1.4 On September 16, 1998, the Presiding Officer entered an Order for Oral Argument on Respondent's Motion scheduling telephonic oral argument for September 22, 1998.

1.5 On September 22, 1998, Mr. Kyler filed the following exhibit which was a copy of a court document, in support of the Respondent's Motion:

United States of America vs. Jessy A. Ang, M.D., and Editha A. Ang,
No. CR97-5152T, Order Allowing Withdrawal of Guilty Plea and Agreed
Order Setting New Trial Date, U.S. District Court, Western District of
Washington at Tacoma, dated September 16, 1998, (two pages).

1.6 On September 22, 1998, the Presiding Officer conducted a telephonic prehearing conference to hear oral argument. Mr. Kyler and Ms. Anderson appeared by telephone.

II. MOTION TO DISMISS AND DEPARTMENT'S RESPONSE

The Respondent moved for an order withdrawing or dismissing, without prejudice, the Statement of Charges against him in this matter. The motion is based upon files showing that on September 16, 1998, the Honorable Judge Jack Tanner, Federal Judge of the Western District of the State of Washington, permitted a withdrawal of the Respondent's plea of guilty initially submitted on December 12, 1997. After Ms. Anderson had the opportunity to review the formal order signed by Judge Tanner, Western District Court, No. CR97-5152T, she did not object to the Motion to Dismiss.

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III. CONCLUSION OF LAW

ORDER GRANTING MOTION TO DISMISS - Page 2

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The Presiding Officer shall rule on motions. WAC 246-11-390. In this case, the Statement of Charges was based upon allegations that in United States District Court for the Western District of Washington on December 12, 1997, the Respondent plead guilty to a violation of federal law. The Presiding Officer finds that this plea of guilty has been withdrawn and the Department does not object to the Respondent's Motion to Dismiss this matter, without prejudice. The Presiding Officer concludes that the Respondent's Motion to Dismiss, without prejudice, should be granted.

IV. ORDER

Based on the above Procedural History, Respondent's Motion to Dismiss and the Department's Response, and the Conclusion of Law, the Presiding Officer hereby issues the following ORDERS:

- 4.1 The Respondent's Motion to Dismiss in this matter, Docket No. 98-02-A-1054MD, is GRANTED; accordingly,
- 4.2 The Statement of Charges in this matter, Docket No. 98-02-A-1054MD, is hereby, DISMISSED, without prejudice.

DATED THIS 2 DAY OF OCTOBER, 1998.


ARTHUR E. DeBUSSCHERE, Health Law Judge
Presiding Officer

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DECLARATION OF SERVICE BY MAIL

I declare that today I served a copy of this document upon the following parties of record:

DANIEL R. KYLER, JESSY E. ANG M.D. AND DELIA ANDERSON, AAG by mailing a copy properly addressed with postage prepaid.

DATED AT OLYMPIA, WASHINGTON THIS 2 DAY OF OCTOBER, 1998


Adjudicative Clerk Office

cc: MARYELLA JANSEN

<p>FOR INTERNAL USE ONLY (Internal tracking numbers) OPS No. 98-03-31-0154MD Program No. 96-05-0023MD</p>

REDACTED

Redaction Summary (0 redactions)

0 Privilege / Exemption reason used:

Redacted pages: