

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

In the Matter of the Accusation Against:)
)
)
RONALD WEMPEN, M.D.) **Case No. 09-2011-217227**
)
Physician's and Surgeon's)
Certificate No. G 18070)
)
)
 . **Respondent.**)
_____)


DECISION

The attached Stipulated Surrender of License and Order 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 October 31, 2013.

IT IS SO ORDERED June 25, 2013.

MEDICAL BOARD OF CALIFORNIA

By: 
Kimberly Kirchmeyer
Interim Executive Director

1 KAMALA D. HARRIS
Attorney General of California
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8 *Attorneys for Complainant*

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

12
13 In the Matter of the Accusation Against:
14 **RONALD WEMPEN, M.D.**
14795 Jeffrey Road #101
15 Irvine, CA 92618
16 **Physician's and Surgeon's Certificate No.**
17 **G18070**
18 Respondent.

Case No. 09-2011-217227
OAH Case No. 2012090799

**STIPULATED SURRENDER OF
LICENSE AND DISCIPLINARY ORDER**

19 IT IS HEREBY STIPULATED AND AGREED by and between the parties in this
20 proceeding that the following matters are true:

21 **PARTIES**

22 1. Linda K. Whitney (complainant) is the Executive Director of the Medical Board of
23 California. She brought this action solely in her official capacity and is represented in this matter
24 by Kamala D. Harris, Attorney General of the State of California, by Martin W. Hagan, Deputy
25 Attorney General.

26 2. Ronald Wempen, M.D. (respondent) is represented in this proceeding by attorney
27 Raymond J. McMahon, Esq., whose address is 1851 E. First Street, Suite 810, Santa Ana, CA
28 92705-4041.

1 CULPABILITY

2 4. Respondent does not contest that, at an administrative hearing, complainant could
3 establish a *prima facie* case with respect to the charges and allegations contained in First
4 Amended Accusation No. 09-2011-217227 and that he has thereby subjected his Physician's and
5 Surgeon's Certificate No. G18070 to disciplinary action.

6 5. Respondent agrees that his Physician's and Surgeon's Certificate No. G18070 is
7 subject to discipline and he agrees to be bound by the Board's imposition of discipline as set forth
8 in the Disciplinary Order below.

9 6. Respondent further agrees that if he ever petitions for reinstatement of his Physician's
10 and Surgeon's Certificate No. G18070, or if an accusation is filed against him before the Medical
11 Board of California, all of the charges and allegations contained in First Amended Accusation
12 No. 09-2011-217227 shall be deemed true, correct, and fully admitted by respondent for purposes
13 of any such proceeding or any other licensing proceeding involving respondent in the State of
14 California or elsewhere.

15 7. Respondent understands that by signing this stipulation he enables the Board to issue
16 an order accepting the surrender of his Physician's and Surgeon's Certificate No. G18070
17 effective October 31, 2013, without further process.

18 CONTINGENCY

19 8. Business and Professions Code section 2224, subdivision (b), provides, in pertinent
20 part, that the Medical Board "shall delegate to its executive director the authority to adopt a . . .
21 stipulation for surrender of a license."

22 9. This Stipulated Surrender of License and Disciplinary Order shall be subject to
23 approval of the Executive Director on behalf of the Medical Board. The parties agree that this
24 Stipulated Surrender of License and Disciplinary Order shall be submitted to the Executive
25 Director for her consideration in the above-entitled matter and, further, that the Executive
26 Director shall have a reasonable period of time in which to consider and act on this Stipulated
27 Surrender of License and Disciplinary Order after receiving it. By signing this stipulation,
28 respondent fully understands and agrees that he may not withdraw his agreement or seek to

1 rescind this stipulation prior to the time the Executive Director, on behalf of the Medical Board,
2 considers and acts upon it.

3 10. The parties agree that this Stipulated Surrender of License and Disciplinary Order
4 shall be null and void and not binding upon the parties unless approved and adopted by the
5 Executive Director on behalf of the Board, except for this paragraph, which shall remain in full
6 force and effect. Respondent fully understands and agrees that in deciding whether or not to
7 approve and adopt this Stipulated Surrender of License and Disciplinary Order, the Executive
8 Director and/or the Board may receive oral and written communications from its staff and/or the
9 Attorney General's Office. Communications pursuant to this paragraph shall not disqualify the
10 Executive Director, the Board, any member thereof, and/or any other person from future
11 participation in this or any other matter affecting or involving respondent. In the event that the
12 Executive Director on behalf of the Board does not, in her discretion, approve and adopt this
13 Stipulated Surrender of License and Disciplinary Order, with the exception of this paragraph, it
14 shall not become effective, shall be of no evidentiary value whatsoever, and shall not be relied
15 upon or introduced in any disciplinary action by either party hereto. Respondent further agrees
16 that should this Stipulated Surrender of License and Disciplinary Order be rejected for any reason
17 by the Executive Director on behalf of the Board, respondent will assert no claim that the
18 Executive Director, the Board, or any member thereof, was prejudiced by its/his/her review,
19 discussion and/or consideration of this Stipulated Surrender of License and Disciplinary Order or
20 of any matter or matters related hereto.

21 **ADDITIONAL PROVISIONS**

22 11. This Stipulated Surrender of License and Disciplinary Order is intended by the parties
23 herein to be an integrated writing representing the complete, final and exclusive embodiment of
24 the agreements of the parties in the above-entitled matter.

25 12. The parties agree that facsimile copies of this Stipulated Surrender of License and
26 Disciplinary Order, including facsimile signatures of the parties, may be used in lieu of original
27 documents and signatures and, further, that facsimile copies shall have the same force and effect
28 as originals.

