



STATE MEDICAL BOARD OF OHIO

77 South High Street, 17th Floor • Columbus, Ohio 43266-0315 • (614) 466-3934

July 12, 1991

Heinz Ralph Linden, M.D.
Rt. 1, Box 48M
Somerton, AZ 85350

Dear Doctor Linden:

Please find enclosed a certified copy of the Findings, Order and Journal Entry approved and confirmed by the State Medical Board meeting in regular session on July 10, 1991.

Section 119.12, Ohio Revised Code, may authorize an appeal from this Order. Such an appeal may be taken to the Franklin County Court of Common Pleas only.

Such an appeal setting forth the Order appealed from and the grounds of the appeal must be commenced by the filing of a Notice of Appeal with the State Medical Board of Ohio and the Franklin County Court of Common Pleas within fifteen (15) days after the mailing of this notice and in accordance with the requirements of Section 119.12 of the Ohio Revised Code.

Very truly yours,

Henry G. Cramblett, M.D.
Secretary

HGC:em
Enclosures

CERTIFIED MAIL NO. P 290 319 312
RETURN RECEIPT REQUESTED

Heinz Ralph Linden, M.D.
1405 W. 16th Street
Yuma, AZ 85364

CERTIFIED MAIL NO. P 290 319 313
RETURN RECEIPT REQUESTED

Mailed 7/16/91



STATE MEDICAL BOARD OF OHIO

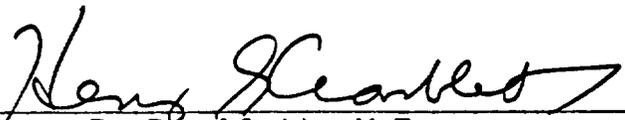
77 South High Street, 17th Floor • Columbus, Ohio 43266-0315 • (614) 466-3934

CERTIFICATION

I hereby certify that the attached copy of the Findings, Order and Journal Entry, approved by the State Medical Board, meeting in regular session on July 10, 1991, constitutes a true and complete copy of the Findings, Order and Journal Entry in the matter of Heinz Ralph Linden, M.D., as it appears in the Journal of the State Medical Board of Ohio.

This certification is made by authority of the State Medical Board of Ohio and in its behalf.

(SEAL)



Henry G. Cramblett, M.D.
Secretary

July 12, 1991

Date



STATE MEDICAL BOARD OF OHIO

77 South High Street, 17th Floor • Columbus, Ohio 43266-0315 • (614) 466-3934

BEFORE THE STATE MEDICAL BOARD OF OHIO

IN THE MATTER OF *

*

HEINZ RALPH LINDEN, M.D. *

FINDINGS, ORDER, AND JOURNAL ENTRY

This matter came on for consideration after a citation letter was issued to Heinz Ralph Linden, M.D., by the State Medical Board of Ohio on May 8, 1991.

On May 8, 1991, notice was given to Dr. Linden that the State Medical Board intended to consider disciplinary action regarding his license to practice medicine and surgery in Ohio, and that he was entitled to a hearing if such hearing was requested within thirty (30) days of the mailing of said notice. In accordance with Section 119.09, Ohio Revised Code, said notice was sent via certified mail, return receipt requested, to the last known address of Dr. Linden, that being Rt. 1, Box 48M, Somerton, Arizona 85350.

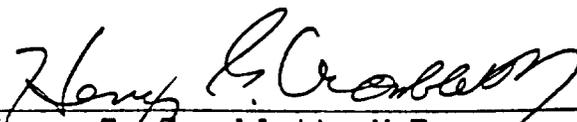
No request for hearing has been received and thirty (30) days have elapsed since the mailing of the aforesaid notice.

WHEREFORE, it is hereby ORDERED that for the reasons outlined in the May 8, 1991 letter of notice, which is attached hereto and incorporated herein, accordingly, the license of Heinz Ralph Linden, M.D., to practice medicine and surgery in Ohio be PERMANENTLY REVOKED.

This ORDER shall become effective IMMEDIATELY.

This order is hereby entered upon the Journal of the State Medical Board of Ohio for the 10th day of July, 1991 and the original thereof shall be kept with said Journal.

(SEAL)


Henry G. Cramblett, M.D.
Secretary



STATE MEDICAL BOARD OF OHIO

77 South High Street, 17th Floor • Columbus, Ohio 43266-0315 • (614) 466-3934

AFFIDAVIT

I, Debra L. Jones, being duly cautioned and sworn, do hereby depose and say:

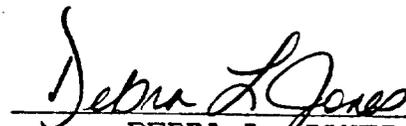
- 1) That I am employed by the State Medical Board of Ohio (hereinafter, "The Board");
- 2) That I serve the Board in the position of Chief, Continuing Medical Education, Records, and Renewal;
- 3) That in such position I am the responsible custodian of all public licensee records maintained by the Board pertaining to individuals who have received certificates issued pursuant to Chapter 4731., Ohio Revised Code;
- 4) That I have this day carefully examined the records of the Board pertaining to HEINZ RALPH LINDEN, M.D.;
- 5) That based on such examination, I have found the last known addresses of record as of JUNE 27, 1991 of HEINZ RALPH LINDEN, M.D. to be:

RT. 1, BOX 48M
SOMERTON, AZ 85350

1405 W. 16TH STREET
YUMA, AZ 85364

6) Further, Affiant Sayeth Naught.

(SEAL)


DEBRA L. JONES
CHIEF, CONTINUING MEDICAL
EDUCATION, RECORDS, AND
RENEWAL

Sworn to and signed before me May R. Roberts, Notary
Public, this 17 day of June, 19 91.

7-12-93



STATE MEDICAL BOARD OF OHIO

77 South High Street, 17th Floor • Columbus, Ohio 43266-0315 • (614) 466-3934

May 8, 1991

Heinz Ralph Linden, M.D.
Route 1, Box 48M
Somerton, AZ 85350

Dear Doctor Linden:

In accordance with Chapter 119., Ohio Revised Code, you are hereby notified that the State Medical Board of Ohio intends to determine whether or not to limit, revoke, suspend, refuse to register or reinstate your certificate to practice medicine and surgery, or to reprimand or place you on probation for one or more of the following reasons:

- (1) On or about January 14, 1988, the Board of Medical Examiners for the State of Arizona issued Findings of Fact, Conclusions of Law and (a) Decree of Censure against your license, with respect to your care and treatment of a patient to whom you administered anesthesia resulting in the death of the patient (a copy of which is attached hereto and fully incorporated herein).
- (2) On or about March 20, 1989, you entered into a Stipulation and Order with the Board of Medical Examiners of the State of Arizona in which you were restricted from practicing medicine in the field of anesthesiology until further order of the Board. Such Order dated March 29, 1989, became effective as of January 14, 1988. A copy of the Stipulation and Order is attached hereto and fully incorporated herein.

Such acts, conduct, and/or omissions as alleged in paragraph (2) above, individually and/or collectively constitute "the limitation, revocation or suspension by another state of a license or certificate to practice issued by the proper licensing authority of that state, the refusal to license, register, or reinstate an applicant by that authority, or the imposition of probation by that authority, for an action that would also have been a violation of this chapter, except for nonpayment of fees," as that clause is used in Section 4731.22(B)(22), Ohio Revised Code, to wit: Section 4731.22(B)(6), Ohio Revised Code.

Mailed 5/9/91

May 8, 1991

- (3) On or about August 8, 1990, you entered into a Consent Agreement with the State Medical Board of Ohio, based upon the aforementioned action taken by the Board of Medical Examiners for the State of Arizona (a copy of the Consent Agreement is attached hereto and fully incorporated herein).
- (4) To date, you have failed to submit any quarterly declarations as required by paragraph 2 of that Agreement.

Such acts, conduct, and/or omissions as alleged in paragraph (4) above, individually and/or collectively constitute "violations of the conditions of limitation placed by the board upon a certificate to practice or violation of the conditions of limitation upon which a limited or temporary registration or certificate to practice is issued," as that clause is used in Section 4731.22(B)(15) of the Ohio Revised Code.

Pursuant to Chapter 119., Ohio Revised Code, you are hereby advised that you are entitled to a hearing in this matter. If you wish to request such hearing, the request must be made in writing and must be received in the offices of the State Medical Board within thirty (30) days of the time of mailing of this notice.

You are further advised that you are entitled to appear at such hearing in person, or by your attorney, or by such other representative as is permitted to practice before this agency, or you may present your position, arguments, or contentions in writing, and that at the hearing you may present evidence and examine witnesses appearing for or against you.

In the event that there is no request for such hearing received within thirty (30) days of the time of mailing of this notice, the State Medical Board may, in your absence and upon consideration of this matter, determine whether or not to limit, revoke, suspend, refuse to register or reinstate your certificate to practice medicine and surgery or to reprimand or place you on probation.

Copies of the applicable sections are enclosed for your information.

Very truly yours,



Henry G. Cramblett, M.D.
Secretary

HGC:jmb
Enclosures:

CERTIFIED MAIL #P 055 328 883

Pursuant to the foregoing Stipulation and upon consideration of the files, records and proceedings; and in order to protect the public and ensure the physician's ability safely to engage in the practice of medicine, the Board enters the following Order:

ORDER

IT IS HEREBY ORDERED by the Board of Medical Examiners of the State of Arizona ("Board") that:

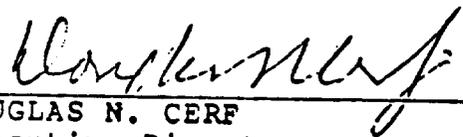
H. RALPH LINDEN, M.D. shall not practice medicine in the field of anesthesiology until further order of the Board.

DATED this 29 day of March, 1989.

BOARD OF MEDICAL EXAMINERS
OF THE STATE OF ARIZONA

[S E A L]

By



DOUGLAS N. CERF
Executive Director

BEFORE THE BOARD OF MEDICAL EXAMINERS
FOR THE STATE OF ARIZONA

In the Matter of

H. RALPH LINDEN, M.D.
Holder of License No. 6340.
For the Practice of Medicine
In the State of Arizona

)
)
) FINDINGS OF FACT,
) CONCLUSIONS OF LAW AND
) DECREE OF CENSURE
)
)
)

This matter having come on regularly for an Informal Interview before the Board of Medical Examiners of the State of Arizona on the 14 day of January, 1988; the licentiate, H. RALPH LINDEN, M.D., holder of License No. 6340 for the practice of medicine in the State of Arizona, having been duly noticed and having appeared before the Board; and the Board of Medical Examiners of the State of Arizona having conducted its interview of the licentiate and having afforded the licentiate an opportunity to be heard on the issues before it; and, having considered all the material evidence in the matter, and being fully advised, makes the following Findings of Fact, Conclusions of Law and Order:

FINDINGS OF FACT

I

The Board of Medical Examiners is the duly constituted authority for the regulation and control of doctors in the State of Arizona.

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II

H. RALPH LINDEN, M.D. is the holder of License No. 6340 issued by the Board of Medical Examiners under Title 32, Chapter 13 of the Arizona Revised Statutes.

III

On or about February 10, 1986, H. RALPH LINDEN, M.D. administered anesthesia to patient J.B. while patient J.B. was under his care at the Yuma Regional Medical Center.

IV

Patient J.B. died on or about February 15, 1986.

V

The administration of anesthesia by H. RALPH LINDEN, M.D. resulted in the death of patient J.B., such death being an anoxic death secondary to an inadequately placed endotracheal tube, either esophageal or pharyngeal, in a paralyzed patient.

VI

In the course of administering anesthesia to patient J.B., H. RALPH LINDEN, M.D. performed inadequate ventilatory monitoring, relying on a precordial rather than esophageal stethoscope, in an intubated, somewhat obese patient. The reaction by H. RALPH LINDEN, M.D. to serious consequences was inadequate, with anoxia being permitted to last too long for any chance at resuscitation.

VII

On or about October 11, 1986, the Board of Medical Examiners conducted an Informal Interview with H. RALPH LINDEN,

1 M.D. during which H. RALPH LINDEN, M.D. stated that patient J.B.
2 "went through a period of anoxia, hypoxia" which was
3 attributable "probably to a slipping out of the endotracheal
4 tube."

5 CONCLUSIONS OF LAW

6 I

7 The Board of Medical Examiners of the State of Arizona
8 possesses jurisdiction over the subject matter hereof and over
9 H. RALPH LINDEN, M.D.

10 II

11 The care and treatment of patient J.B. by H. RALPH
12 LINDEN, M.D. constitutes unprofessional conduct as defined in
13 A.R.S. § 32-1401(11)(g), to wit: Conduct or practice which is
14 or might be harmful or dangerous to the health of the patient or
15 the public.

16 ORDER

17 Based on the Findings of Fact and Conclusions of Law
18 set forth above, IT IS HEREBY ORDERED that a Decree of Censure
19 issue against License No. 6340 for the practice of medicine in
20 the State of Arizona, held by H. RALPH LINDEN, M.D.

21 BOARD OF MEDICAL EXAMINERS
22 OF THE STATE OF ARIZONA

23 [S E A L]

24 BY


25 DOUGLAS N. CERF
26 Executive Director

PDK/jxd
2564A(76)
CIVB - _____

CONSENT AGREEMENT
BETWEEN
HEINZ RALPH LINDEN, M.D.
AND
THE STATE MEDICAL BOARD OF OHIO

STATE MEDICAL BOARD
20 JUN 20 11 43:35

THIS CONSENT AGREEMENT is entered into by and between HEINZ RALPH LINDEN, M.D., and THE STATE MEDICAL BOARD OF OHIO, a state agency charged with enforcing Chapter 4731., Ohio Revised Code.

Heinz Ralph Linden, M.D., enters into this Agreement being fully informed of his rights under Chapter 119., Ohio Revised Code, including the right to representation by counsel and the right to a formal adjudicative hearing on the issues considered herein.

This Consent Agreement is entered into on the basis of the following stipulations, admissions and understandings:

- A. THE STATE MEDICAL BOARD OF OHIO is empowered by Section 4731.22(B)(6), Ohio Revised Code, to limit, revoke, suspend a certificate, refuse to register or reinstate an applicant, or reprimand or place on probation the holder of a certificate for a departure from or the failure to conform to, minimal standards of care of similar practitioners under the same or similar circumstances, whether or not actual injury to a patient is established.
- B. THE STATE MEDICAL BOARD OF OHIO enters into this Consent Agreement in lieu of formal proceedings based upon the violation of Section 4731.22(B)(6), and expressly reserves the right to institute formal proceedings based upon any other violations of Chapter 4731. of the Revised Code, whether occurring before or after the effective date of this Agreement.
- C. Heinz Ralph Linden, M.D. is licensed to practice medicine and surgery in the State of Ohio.
- D. On March 20, 1989, Heinz Ralph Linden, M.D., STIPULATED AND AGREED with the STATE OF ARIZONA BOARD OF MEDICAL EXAMINERS that his license to practice medicine in Arizona would be placed under limitation pursuant to an ORDER dated March 29, 1989, stating that Doctor Linden shall not practice medicine in the field of anesthesiology until further order of the Board. This ORDER became effective as of January 14, 1988.

WHEREFORE, in consideration of the foregoing and mutual promises hereinafter set forth and in lieu of any formal proceedings at this time, Heinz Ralph Linden, M.D., knowingly and voluntarily agrees with THE STATE MEDICAL BOARD OF OHIO, (hereinafter BOARD), to the following probationary terms, conditions and limitations:

1. Doctor Linden shall obey all federal, state and local laws, and all rules governing the practice of medicine in Ohio;
2. Doctor Linden shall submit quarterly declarations under penalty of perjury stating whether there has been compliance with all the conditions of this Consent Agreement;
3. Doctor Linden shall comply completely with the terms and conditions of the STIPULATION AND ORDER issued to him by the State of Arizona Board of Medical Examiners on March 20, 1989;

STATE MEDICAL BOARD OF OHIO
JUL 20 1961

4. Doctor Linden shall give prior notification to the BOARD in writing if he plans to practice medicine or surgery in Ohio, or plans to reside in Ohio at any time during which his license to practice medicine in Arizona is under limitation by the Arizona Board's STIPULATION AND ORDER;
5. Doctor Linden may be placed under such terms and conditions by the Board as it deems appropriate, should he relocate to Ohio at any time during which the Arizona STIPULATION AND ORDER remains in effect;
6. This CONSENT AGREEMENT will remain in effect until Doctor Linden has satisfactorily complied with the terms and conditions of the STIPULATION AND ORDER entered into with the state of of Arizona Board of Medical Examiners;
7. Doctor Linden shall submit to the Board copies of any requests for full restoration of his license to practice medicine in Arizona at the time such documents are submitted to the Arizona Board;
8. Upon successful completion of the period of limitation with the State of Arizona Board of Medical Examiners, Doctor Linden shall submit documentation acceptable to the BOARD, of his satisfactory compliance with the terms and conditions of the STIPULATION AND ORDER;
9. Doctor Linden shall notify the BOARD in writing should he fail to satisfactorily comply with the terms and conditions of the STIPULATION AND ORDER entered into with the State of Arizona Board of Medical Examiners;
10. Upon submitting full documentation of restoration of his license to practice medicine by the State of Arizona Board of Medical Examiners, Doctor Linden may petition the State Medical Board of Ohio for full restoration of his license to practice medicine and surgery.

The above described terms, limitations and conditions may be amended or terminated in writing at any time upon the agreement of both parties.

If, in the discretion of the Secretary of THE STATE MEDICAL BOARD OF OHIO, Doctor Linden appears to have violated or breached any terms or conditions of this Agreement, THE STATE MEDICAL BOARD OF OHIO reserves the right to institute formal disciplinary proceedings for any and all possible violations or breaches, including but not limited to, alleged violations of the laws of Ohio occurring before the effective date of this Agreement.

Doctor Linden acknowledges that he has had an opportunity to ask questions concerning the terms of this Agreement and that all questions asked have been answered in a satisfactory manner.

Any action initiated by the BOARD based on alleged violations of this Consent Agreement shall comply with the Administrative Procedure Act, Chapter 119, Ohio Revised Code.

Doctor Linden hereby releases THE STATE MEDICAL BOARD OF OHIO, its Members, Employees, Agents, Officers and Representatives jointly and severally from any and all liability arising from the within matter.

Consent Agreement
Page Three

This CONSENT AGREEMENT shall be considered a public record as that term is used in Section 149.43, Ohio Revised Code, and shall become effective upon the last date of signature below.

R.R. Linden, Esq.

7-10-90
DATE

Henry G. Cramblett
HENRY G. CRAMBLETT, M.D.
Secretary

7/23/90
DATE

FILED
JUL 20 11 45 AM '90

Timothy S. Jost
TIMOTHY S. JOST, ESQUIRE
Supervising Member

9/6/90
DATE

John C. Dowling
JOHN C. DOWLING, Esquire
Assistant Attorney General

8/8/90
DATE