For Public

BEFORE THE BOARD OF MEDICAL EXAMINERS OF THE STATE OF NEVADA

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In The Matter of Charges and Complaint Against GREGG MILLS RIPPLINGER, M.D., Respondent.	NO. Case No. 08-6406-1 FILED 20 March 2008 EXECUTIVE DIRECTOR

COMPLAINT

The Investigative Committee of the Board of Medical Examiners of the state of Nevada, composed of Charles N. Held, M.D., Chairman, Cindy Lamerson, M.D. Member, and Jean Stoess, M.A., Member, by and through Lyn E. Beggs, Deputy General Counsel for the Nevada State Board of Medical Examiners, having a reasonable basis to believe that Gregg Mills Ripplinger, M.D., hereinafter referred to as "Respondent," has violated the provisions of NRS Chapter 630, hereby issues its formal Complaint, stating the Investigative Committee's charges and allegations, as follows:

1. Respondent is currently licensed in active status to practice medicine in the state of Nevada, and at all times alleged herein, was so licensed by the Nevada State Board of Medical Examiners, pursuant to the provisions of Chapter 630 of the Nevada Revised Statutes.

2. Patient A was a forty-one year old female at the time of the matter in question. Her true identity is not disclosed to protect her privacy, but her identity is disclosed in the Patient Designation served on Respondent along with a copy of this Complaint.

3. Patient A was seen by a surgeon in Arizona in the fall of 2003, at which time the physician found a palpable mass in her left breast during a physical examination and she was advised to follow up with her primary care physician. Patient A had undergone a breast augmentation procedure prior to being seen by this physician.

4. Patient A saw Robert Ritchey, M.D., in southern Nevada who also found the palpable mass and referred the patient for a mammogram and ultrasound.

5. The mammogram and ultrasound were performed on November 25, 2003.

6. The mammogram did not document an abnormality; however the ultrasound did show two cysts, one measuring 7.7 mm and the other measuring 7.2 mm with the larger of the two appearing to have a thickened wall.

7. The ultrasound report also indicated that Patient A indicated the palpable mass was approximately 2 cm superior to the two cysts found on the ultrasound.

8. Dr. Ritchey referred Patient A to Respondent for surgical consultation, and Patient A presented to Respondent on December 2, 2003.

9. During Patient A's appointment, Respondent palpated the breast mass and then attempted to aspirate the area but was unable to obtain any fluid.

10. Respondent recommended that the area be excised for biopsy and requested that Patient A make an appointment for this purpose.

11. Patient A failed to make an appointment for the excision, however she did contact Respondent's office on December 10, 2003, complaining about a leak in her left breast implant, the leak believed to be caused by Respondent's attempt to aspirate the cyst.

Count I

12. Nevada Administrative Code Section 630.040 defines malpractice as the failure of a physician, in treating a patient, to use the reasonable care, skill, or knowledge ordinarily used under similar circumstances.

13. Respondent failed to use the reasonable care, skill, or knowledge ordinarily used under similar circumstances when he attempted to aspirate a cyst in Patient A's left breast without using ultrasound for guidance and thus constitutes malpractice, a violation of NRS 630.301(4).

14. By reason of the foregoing, Respondent is subject to discipline by the Nevada State Board of Medical Examiners as provided in Section 630.352 of the Nevada Revised Statutes.

WHEREFORE, the Investigative Committee prays:

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1. That the Nevada State Board of Medical Examiners fix a time and place for a formal hearing;

2. That the Nevada State Board of Medical Examiners give respondent notice of the charges herein against him, the time and place set for the hearing, and the possible sanctions against him;

3. That the Nevada State Board of Medical Examiners determine what sanctions it determines to impose for the violation or violations committed by Respondent;

4. That the Nevada State Board of Medical Examiners make, issue and serve on Respondent its findings of facts, conclusions of law and order, in writing, that includes the sanctions imposed; and

5. That the Nevada State Board of Medical Examiners take such other and further action as may be just and proper in these premises.

DATED this 20th day of March, 2008.

INVESTIGATIVE COMMITTEE OF
THE NEVADA STATE BOARD OF MEDICAL EXAMINERS

By: _____
Lyn E. Beggs
Attorney for the Investigative Committee of the Nevada
State Board of Medical Examiners

VERIFICATION

STATE OF NEVADA)
: ss.
COUNTY OF DOUGLAS)

CHARLES N. HELD, M.D., having been duly sworn, hereby deposes and states under penalty of perjury that he is the Chairman of the Investigative Committee of the Nevada State Board of Medical Examiners that authorized the complaint against the Respondent herein; that he has read the foregoing Complaint; and that based upon information discovered in the course of the investigation into a complaint against Respondent, he believes that the allegations and charges in the foregoing Complaint against Respondent are true, accurate, and correct.

DATED this 20th day of March, 2008.

CHARLES N. HELD, M.D.

CERTIFICATE OF MAILING

I hereby certify that I am employed by Nevada State Board of Medical Examiners and that on the 20th day of March 2008, I served a file copy of the COMPLAINT, NOTICE OF PRE-HEARING CONFERENCE & HEARING, PATIENT DESIGNATION, & Original "SETTLEMENT, WAIVER & CONSENT AGREEMENT, along with appointment letter, by mailing via USPS certified return receipt mail to the following:

Gregg Ripplinger, M.D.
10001 S. Eastern Ave #200
Henderson, NV 89052

Dated this 20th day of March 2008.

Angelia Donohoe
Legal Assistant