

1 **BEFORE THE ARIZONA MEDICAL BOARD**

2 In the Matter of

3 **RALPH T. HEAP, M.D.**

4 Holder of License No. 11721
5 For the Practice of Allopathic Medicine
6 In the State of Arizona.

Case No. MD-21-1124A

**ORDER FOR LETTER OF
REPRIMAND; AND CONSENT TO THE
SAME**

7 Ralph T. Heap, M.D. ("Respondent") elects to permanently waive any right to a
8 hearing and appeal with respect to this Order for a Letter of Reprimand; admits the
9 jurisdiction of the Arizona Medical Board ("Board"); and consents to the entry of this Order
10 by the Board.

11 **FINDINGS OF FACT**

12 1. The Board is the duly constituted authority for the regulation and control of
13 the practice of allopathic medicine in the State of Arizona.

14 2. Respondent is the holder of license number 11721 for the practice of
15 allopathic medicine in the State of Arizona.

16 3. The Board initiated case number MD-21-1124A after receiving notification of
17 a malpractice settlement regarding Respondent's care and treatment of a 47-year-old
18 female patient ("SS") alleging failure to properly perform a total right hip arthroplasty
19 ("THA"), and failure to timely treat post-op sciatic nerve injury resulting in permanent
20 debilitating injuries including right foot drop.

21 4. On January 27, 2016, SS presented to Respondent's office with a complaint
22 of right hip pain present for several years. SS was employed as a nurse in PACU and her
23 hip was causing difficulties in her ability to ride her horse. SS reported 1-2 episodes of
24 right sided sciatica approximately 10 years earlier when pain extended into her right foot;
25 SS now had permanent numbness in her right second toe. SS's right hip examination was
consistent with significant osteoarthritis. Deep tendon reflexes were intact bilaterally in her

1 lower extremities and the only abnormal finding in her right foot and ankle was numbness
2 of the second toe. Respondent recommended a right THA.

3 5. On June 6, 2016, Respondent performed a right THA at the Hospital on SS.
4 Approximately five hours later, a hospitalist examined SS and noted numbness in right
5 toes and foot.

6 6. On June 7, 2016, Respondent evaluated SS and noted absent right ankle
7 dorsiflexion and foot sensation. Respondent diagnosed sciatic nerve palsy and consulted
8 physical therapy for the making of an ankle-foot orthosis. Subsequently, the Hospitalist
9 noted that SS was unable to move her toes or dorsiflex her right foot; and her foot was still
10 mostly numb except for a slight return of sensation that was found at the medial aspect of
11 her foot.

12 7. On June 8, 2016, Respondent documented that SS's right foot still exhibited
13 decreased sensation and no dorsiflexion. Respondent cleared SS for discharge.

14 8. On June 15, 2016, SS presented to Respondent's office for a post-operative
15 office visit. SS was taking analgesics for the pain related to her increasing right foot
16 paresthesia. SS regained some normal sensation though it remained quite limited distal to
17 her knee joint and she continued to lack dorsiflexion of her right foot or toes. Respondent
18 recommended a neurology consult if SS's nerve function failed to improve quickly.
19 Respondent prescribed Neurontin, continued physical therapy, and considered obtaining
20 nerve function studies.

21 9. On July 6, 2016, SS presented to Respondent's office for a post-operative
22 office visit. SS's sensation had improved markedly below the knee on the medial side.
23 However, there was no improvement in the patient's lack of dorsiflexion of her right foot
24 and toes.

1 ORDER

2 IT IS HEREBY ORDERED THAT:

3 1. Respondent is issued a Letter of Reprimand.

4
5 DATED AND EFFECTIVE this 4th 3rd day of August, 2023.

6 ARIZONA MEDICAL BOARD

7
8 By Pat E McSorley
9 Patricia E. McSorley
10 Executive Director

11 CONSENT TO ENTRY OF ORDER

12 1. Respondent has read and understands this Consent Agreement and the
13 stipulated Findings of Fact, Conclusions of Law and Order ("Order"). Respondent
14 acknowledges he has the right to consult with legal counsel regarding this matter.

15 2. Respondent acknowledges and agrees that this Order is entered into freely
16 and voluntarily and that no promise was made or coercion used to induce such entry.

17 3. By consenting to this Order, Respondent voluntarily relinquishes any rights to
18 a hearing or judicial review in state or federal court on the matters alleged, or to challenge
19 this Order in its entirety as issued by the Board, and waives any other cause of action
20 related thereto or arising from said Order.

21 4. The Order is not effective until approved by the Board and signed by its
22 Executive Director.

23 5. All admissions made by Respondent in this Order are solely for final
24 disposition of this matter and any subsequent related administrative proceedings or civil
25 litigation involving the Board and Respondent. Therefore, said admissions by Respondent
are not intended or made for any other use, such as in the context of another state or

1 federal government regulatory agency proceeding, civil or criminal court proceeding, in the
2 State of Arizona or any other state or federal court.

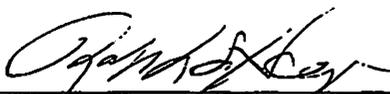
3 6. Notwithstanding any language in this Order, this Order does not preclude in
4 any way any other State agency or officer or political subdivision of this state from
5 instituting proceedings, investigating claims, or taking legal action as may be appropriate
6 now or in the future relating to this matter or other matters concerning Respondent,
7 including but not limited to, violations of Arizona's Consumer Fraud Act. Respondent
8 acknowledges that, other than with respect to the Board, this Order makes no
9 representations, implied or otherwise, about the views or intended actions of any other
10 state agency or officer or political subdivisions of the State relating to this matter or other
11 matters concerning Respondent.

12 7. Upon signing this agreement, and returning this document (or a copy thereof)
13 to the Board's Executive Director, Respondent may not revoke the consent to the entry of
14 the Order. Respondent may not make any modifications to the document. Any
15 modifications to this original document are ineffective and void unless mutually approved
16 by the parties.

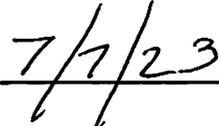
17 8. This Order is a public record that will be publicly disseminated as a formal
18 disciplinary action of the Board and will be reported to the National Practitioner's Data
19 Bank and on the Board's web site as a disciplinary action.

20 9. If the Board does not adopt this Order, Respondent will not assert as a
21 defense that the Board's consideration of the Order constitutes bias, prejudice,
22 prejudgment or other similar defense.

23 10. ***Respondent has read and understands the terms of this agreement.***

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RALPH T. HEAP, M.D.

DATED: 

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EXECUTED COPY of the foregoing mailed
this 3rd day of August, 2023 to:

Ralph T. Heap, M.D.
Address of Record

ORIGINAL of the foregoing filed
this 3rd day of August, 2023 with:

Arizona Medical Board
1740 West Adams, Suite 4000
Phoenix, Arizona 85007

Michelle Pardo
Board staff

RECEIVED

JUL 12 2023