

06/21/2019  
(New)

The following Request for Information has been sent to MEDICAL BOARD OF CALIFORNIA:

**Practitioner:  
De Jong, Ann**

**Type of Report:  
STATE LICENSURE**

**Date of Report:  
July 30, 2015**

**DCN:  
5500000098741621**

(New Information - 6/5/2019 Letter from Idaho State Board of Medicine to the NPDB)

**US DEPARTMENT OF HEALTH & HUMAN SERVICES**

Health Resources and Services Administration

Bureau of Health Workforce

Rockville, MD 20857

6/20/2019

**PRIVILEGED AND CONFIDENTIAL**

Medical Board of California

Attn.: Valerie Moore, Staff Services Mgr

2005 Evergreen St., Ste. 1200

Sacramento, CA 95815-5401

**RE: National Practitioner Data Bank**

**REQUEST FOR INFORMATION**

Practitioner: **Anne De Jong, MD**

Type of Report: **State Licensure Action Report**

Date of Report: **July 30, 2015**

DCN: **5500000098741621**

Dear Medical Board of California:

This letter regards a request from Anne De Jong, MD, that the Secretary of the US Department of Health and Human Services ("the Secretary") review the above-referenced State Licensure Action Report ("the Report") submitted to the National Practitioner Data Bank ("the NPDB") by the Medical Board of California ("the California Board") on **July 30, 2015**.

According to the record, the California Board reported Dr. De Jong for "Reprimand or Censure (1140)." The **Basis for Action** indicates "License Revocation, Suspension or Other Disciplinary Action Taken by a Federal, State or Local Licensing Authority (39)." The **Description of Subject's Act(s) or Omission(s) or Other Reasons for Action(s) Taken and Description of Action(s) Taken by Reporting Entity** field in Section C of the Report states: "Public Reprimand."

Dr. De Jong has disputed the reportability to the NPDB of the State Licensure Action taken by the California Board and claims that:

1. There is no record of discipline against her by the State of Idaho and she was informed that "it is as if no complaint had ever been brought."
2. During her efforts to resolve matters with the State of Idaho, the State of California instituted a reciprocal disciplinary action, "Discipline, Restriction, or Limitation Imposed by Another State."
3. California refused to delay resolution of the California action until after matters had been resolved with Idaho.

On April 23, 2019, a search by this office of the California Board's online public records indicated a Medical License # A118790 for Ann De Jong, issued October 21, 2011 and expiring September 30, 2019. The search also indicated a disciplinary action (public reprimand for minor violation of the law), subsequent to the California Board Order # 8002014002486, effective July 31, 2015.

In a letter dated May 23, 2019, this office requested additional documentation from the California Board to support the explanation and information in the Report, to include the sequence of relevant events that led the California Board to issue the Order and file the State Licensure Action Report with the NPDB.

**That May 23, 2019, documentation request is still valid, and your response is due to us on June 27, 2019.**

However, since that letter was sent, this office has received information (enclosed) from the Idaho State Board of Medicine ("the Idaho Board"), indicating that subsequent to litigation between Dr. De Jong and the Idaho Board, a Settlement Agreement dated March 27, 2018, was reached in which it was agreed that the Idaho Board would void its Amended Final Order and the related disciplinary action from Dr. De Jong's record and **would void the Corrected Report (Idaho) in the NPDB** and report the matter as "reversed". In a letter sent to this office by the Idaho Board (enclosed), "the original Order

and subsequent Amended Order were entered in error." **Dr. De Jong's record is to be treated as "clear, and the disciplinary action is treated as having never occurred."**

**The Basis for Action for the California Board's Report to the NPDB is based on reciprocity with the Idaho Board. Given that the Idaho Board has reversed its disciplinary action and voided its Order and Dr. De Jong's Report, this Basis for Action by California no longer exists, and the California Report is based on outdated and incorrect information.** As Dr. De Jong's attorney notes in his letter (enclosed), "...the California NPDB Report gives the false and incorrect impression that there is Idaho discipline against Dr. De Jong."

**While the Secretary cannot substitute his judgment for that of the California Board, we would like to know your position on the matter of the validity of Dr. De Jong's California Report and ask that you please keep us informed.**

It should be noted that this letter does not constitute a decision concerning Dr. De Jong's request for Dispute Resolution of the Report.

While I cannot have *ex parte* discussions concerning the substance or merits of Data Bank Reports or Dispute Resolution cases, I can answer questions about procedure or form. If you have questions, please contact me at 301.443.2300.

Thank you.

Sincerely Yours,

David J. Horowitz

Dispute Resolution Manager

Division of Practitioner Data Bank

Enclosures

6/18/2019 Letter from Joshua Evett (of Elam & Burke, Attorney for Dr. De Jong) to the NPDB

6/5/2019 Letter from the Idaho State Board of Medicine to the NPDB

5/23/2019 Letter from the NPDB to the Medical Board of California

5/9/2019 Letter from the NPDB to the Idaho State Board of Medicine

3/27/2018 Settlement Agreement Between Ann De Jong, MD and the Idaho State Board of Medicine

cc: Ann De Jong MD

8470 Helena Ave.

Las Vegas, NV 89129-0405

Joshua S. Evett (*Attorney for Dr. De Jong*)

Elam & Burke, Attorneys at Law

251 East Front St., Suite 300

PO Box 1539

Boise, ID 83701

Thank you,

**David Horowitz**, Senior Public Health Analyst/Dispute Resolution Manager

National Practitioner Data Bank

301.443.2300

US Department of Health and Human Services

Health Resources and Services Administration

Bureau of Health Workforce

**NOTE: No action on this Request is required on your part. This message is provided as a courtesy copy.**

05/23/2019 The following Request for Information has been sent to MEDICAL BOARD OF CALIFORNIA:

**Practitioner:  
De Jong, Ann**

**Type of Report:  
STATE LICENSURE**

**Date of Report:  
July 30, 2015**

**DCN:  
550000098741621**

**US DEPARTMENT OF HEALTH & HUMAN SERVICES**  
Health Resources and Services Administration

Bureau of Health Workforce  
Rockville, MD 20857  
5/23/2019

**PRIVILEGED AND CONFIDENTIAL**

Medical Board of California

Attn.: Christina Haydon

2005 Evergreen St., Ste. 1200

Sacramento, CA 95815-5401

**RE: National Practitioner Data Bank**

**REQUEST FOR INFORMATION**

Practitioner: **Anne De Jong, MD**

Type of Report: **State Licensure Action Report**

Date of Report: **July 30, 2015**

DCN: **5500000098741621**

Dear Medical Board of California:

This letter regards a request from Anne De Jong, MD, that the Secretary of the US Department of Health and Human Services ("the Secretary") review the above-referenced State Licensure Action Report ("the Report") submitted to the National Practitioner Data Bank ("the NPDB") by the Medical Board of California ("the Board") on **July 30, 2015**.

According to the record, the Board reported Dr. De Jong for "Reprimand or Censure (1140)." The **Basis for Action** indicates "License Revocation, Suspension or Other Disciplinary Action Taken by a Federal, State or Local Licensing Authority (39)." The **Description of Subject's Act(s) or Omission(s) or Other Reasons for Action(s) Taken and Description of Action(s) Taken by Reporting Entity** field in Section C of the Report states: "Public Reprimand."

Dr. De Jong has disputed the reportability to the NPDB of the State Licensure Action taken by the Board and claims that:

- There is no record of discipline against her by the State of Idaho and she was informed that "it is as if no complaint had ever been brought."
- During her efforts to resolve matters with the State of Idaho, the State of California instituted a reciprocal disciplinary

action, "Discipline, Restriction, or Limitation Imposed by Another State."

- California refused to delay resolution of the California action until after matters had been resolved with Idaho.

On April 23, 2019, a search by this office of the Medical Board of California's online public records indicated a Medical License # **A118790** for Ann De Jong, issued October 21, 2011 and expiring September 30, 2019. The search also indicated a disciplinary action (public reprimand for minor violation of the law), subsequent to Medical Board of California Order # **8002014002486**, effective **July 31, 2015**.

In order for us to make the most appropriate Dispute Resolution decision, we require additional information from the Board. Kindly share with us documentation of the sequence of relevant events, including, but not limited to, what led the Board to issue the Order and file the State Licensure Action Report with the NPDB.

**Please provide copies of documentation to support both your explanation and the information in the Report(s).** You may send any documents you deem pertinent concerning the case, including meeting minutes, investigative reports, applications, consent orders, employment contracts, and/or correspondence. **Please be sure to redact any confidential patient information before sending us the supporting documents. In the interest of full and fair disclosure, please also forward a copy of all correspondence and documentation to Dr. De Jong.**

It should be noted that this letter does not constitute a decision concerning Dr. De Jong's request for Dispute Resolution of the Report. It is merely a request for additional documentation so that we can conduct a proper review.

Please attend to this matter as soon as possible, but no later than thirty (30) calendar days from the date of this letter. You may send all written correspondence to my attention at the address

below:

Dispute Resolution Manager (DH)

Policy and Disputes Branch

Division of Practitioner Data Bank

5600 Fishers Lane, Mail Stop 11SWH03

Rockville, MD 20857

While I cannot have *ex parte* discussions concerning the substance or merits of Data Bank Reports or Dispute Resolution cases, I can answer questions about procedure or form. If you have questions, please contact me at 301.443.2300.

Thank you in advance for your prompt attention to this matter. A response is required in accordance with the reporting requirements at 42 USC §11101 *et seq.*

Sincerely Yours,

David J. Horowitz

Dispute Resolution Manager

Division of Practitioner Data Bank

cc: Ann De Jong MD

8470 Helena Ave.

Las Vegas, NV 89129-0405

**NOTE: No action on this Request is required on your part. This message is provided as a courtesy copy.**

**Attachment(s):**

[final adejong rfi letter to ca re 98741621.pdf](#) (PDF File - 719.9 kb)

02/27/2  
019

**\*\*\* Secure Message Received \*\*\***

**From:** The NPDB  
**To:** DE JONG, ANN  
**Subject:** Thank You

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Thank you for providing supporting documentation. Your request for Dispute Resolution, along with your documentation, will be forwarded to the Division of Practitioner Data Banks (DPDB). Please read the attached Dispute Resolution Welcome Letter for more information concerning your request for Dispute Resolution.

**Attachment(s):**

[initial letter \(dejong\).pdf](#) (PDF File - 74.3 kb)

02/13/2  
019

[Reply](#)

You have initiated a request for Dispute Resolution.

**\*\*\* IMPORTANT - PLEASE READ \*\*\***

The law strictly limits the Data Bank's jurisdiction in these cases. Please note that the Dispute Resolution process is not an avenue to protest the underlying merits of a case that resulted in the report itself. Such request will be deemed outside the scope of review and will be so noted on the report. The Data Bank cannot determine whether a reporting entity's decision to take an action concerning licensure privileges, exclusion, etc., was correct or fair.

The Data Bank can only determine if the report:

1. Is legally required or permitted to be filed
2. Accurately depicts the action taken and the reporter's basis for the action as reflected in the written record

Similarly, for malpractice payment reports the Data Bank can only determine if the report accurately depicts the claimant's allegations and a payment made on your behalf, not whether malpractice was actually committed or the payment was justified.

In order to facilitate a Dispute Resolution, you must complete the following:

1. Sign and mail the [Request for Dispute Resolution](#) document to:

The Data Bank  
P.O. Box 10832  
Chantilly, VA 20153-0832

2. Submit documentation that shows the reporting entity's information is not accurate. Examples of pertinent documentation include:
  - a. Findings of fact and recommendations of the licensing board.
  - b. Orders and stipulations.
  - c. Actions taken by the court (e.g., stays).
3. Submit proof that you attempted to resolve your disagreement with the reporting entity but were unsuccessful (e.g., a copy of your correspondence to the reporting entity and its response, if any).

Supporting documentation can be sent via postal mail to the address above or attached as a reply to this message. Due to system requirements you can only send information electronically one time by clicking reply.

When submitting documentation to the Data Bank, **do not** include the names or identities of any patients. Personal identifying information about patients should be blacked out or removed from all documentation.

You will be notified once the Data Bank receives all documentation



and has elevated your request for Dispute Resolution to the Division of Practitioner Data Bank.

- 04/10/2  
018 Your subject statement has been reviewed by the Data Bank and added to your report. The reporting entity will receive a copy of the report with your subject statement. Any entity that submits a Data Bank query on you will see that you added a subject statement to the report. Entities that have queried on you and received this report in the past three years will also receive a copy of the updated report.
- 04/10/2  
018 The Data Bank has received your subject statement. The Data Bank reviews all subject statements to determine whether they include individual names, addresses, or telephone numbers. If this information is discovered, it will be removed and you will be sent an amended version. You will receive notification once the review is complete.
- 04/04/2  
018 The Dispute has been added to your report. The reporting entity will receive a copy of the report with your dispute. Any entity that submits a Data Bank query on you will see that you disputed the report. Entities that have queried on you and received this report in the past three years will also receive a copy of the updated report.
- 07/30/2  
015 MEDICAL BOARD OF CALIFORNIA has submitted a report to the Data Bank.

DCN: 5500000098741621  
Date of Action: 07/31/2015