

# NEVADA STATE BOARD OF MEDICAL EXAMINERS



## ANNUAL REPORT 2010

## MISSION STATEMENT

The Nevada State Board of Medical Examiners serves the state of Nevada by ensuring that only well-qualified, competent physicians, physician assistants, respiratory therapists and perfusionists receive licenses to practice in Nevada. The Board responds with expediency to complaints against our licensees by conducting fair, complete investigations that result in appropriate action. In all Board activities, the Board will place the interests of the public before the interests of the medical profession and encourage public input and involvement to help educate the public as we improve the quality of medical practice in Nevada.

## THE BOARD

The Board is the oldest occupational licensing board in the state, having recently celebrated 112 years of service to the patients of Nevada (March 15, 1899 – March 15, 2011). The Board is composed of nine members, six of whom are actively practicing physicians and three of whom are public members. By statute, all of the members of the Board must be selected without regard to their individual political beliefs. All members are appointed by the Governor for a period of four years, and may be removed by the Governor for good cause. Board members may be reappointed by the Governor to a second four-year term.

The Board has two Investigative Committees. Each Committee is composed of two physician Board members and one public Board member. The committees are charged with administering the disciplinary program of the Board.

The License Application and Malpractice Review Panel is composed of two physician Board members and one public Board member. The panel is charged with reviewing all license applications which contain information that touch upon the character, competence, knowledge, skill, or capabilities of the applicant and whether that applicant can safely serve Nevada's patients.

The Board is located at 1105 Terminal Way, Suite 301, in Reno, and has an investigative satellite office at 6010 S. Rainbow Blvd., Building A, Suite 2, in Las Vegas.

## BOARD MEMBER BIOGRAPHIES

### Charles N. Held, M.D., *President*

Dr. Held was appointed to the Board on April 1, 2004. He holds a medical degree from the University of Missouri, Columbia. He practiced Pulmonary Medicine in Reno for 21 years and currently practices Pulmonary Medicine and Sleep Medicine in Gardnerville. Dr. Held has been on staff and served on committees in various northern Nevada hospitals. He is the President of the Board and Chairman of one of the Board's two Investigative Committees.

**Benjamin J. Rodriguez, M.D., *Vice President***

Dr. Rodriguez was appointed to the Board on September 1, 2005. He has practiced Plastic Surgery in Las Vegas since 1995, and holds a medical degree from the University of Nevada School of Medicine. Dr. Rodriguez is the Vice President of the Board and Chairman of one of the Board's two Investigative Committees. He previously served on the Board's License Application and Malpractice Review Panel.

**Valerie J. Clark, BSN, RHU, LUTCF, *Public Member, Secretary-Treasurer***

Ms. Clark is a public member of the Board, appointed to the Board on December 8, 2009. Ms. Clark holds a B.S. from the Loma Linda School of Nursing in California. She is President of Clark and Associates of Nevada, Inc. Insurance Services and a member of the Reno-Sparks Chamber of Commerce. Ms. Clark is the Secretary-Treasurer of the Board and a member of one of the Board's two Investigative Committees.

**Javaid Anwar, M.D.**

Dr. Anwar was appointed to the Board on September 1, 2003. He has practiced Internal Medicine in Las Vegas since 1977, and holds a medical degree from Punjab University in Pakistan. Dr. Anwar has served on numerous boards and committees with various Las Vegas hospitals and health maintenance organizations. He is a member of the Board's License Application and Malpractice Review Panel, is a past-President of the Board and previously served on one of the Board's two Investigative Committees.

**Beverly A. Neyland, M.D.**

Dr. Neyland was appointed to the Board on September 1, 2008. She holds a medical degree from the Meharry Medical College in Nashville, Tennessee. Dr. Neyland practiced Pediatrics in Las Vegas for 20 years, and served as the Chief of Pediatrics at University Medical Center and Sunrise Hospital, before joining the faculty at the University of Nevada School of Medicine in Las Vegas. She is a Professor and Director of the Ambulatory Pediatrics curriculum at the University. Dr. Neyland is a member of one of the Board's two Investigative Committees and previously served on the Board's License Application and Malpractice Review Panel.

**Theodore B. Berndt, M.D.**

Dr. Berndt was appointed to the Board on July 1, 2009. He has practiced Cardiology in Reno since 1976, and holds a medical degree from the University of Wisconsin in Madison. Dr. Berndt is a clinical staff member at the University of Nevada School of Medicine and was on the Board of Directors for Renown Health. He is a member of one of the Board's two Investigative Committees.

**Michael J. Fischer, M.D.**

Dr. Fischer was appointed to the Board on September 1, 2009. He has practiced Ophthalmology in Carson City since 1983 and holds a medical degree from the Universidad Autonoma de Guadalajara in Mexico. Dr. Fischer is a past-President of the Carson Douglas Medical Society, was the 100th President of the Nevada State Medical Association and served for two years on the Council on Legislation of the American Medical Association. He is a member of the Board's License Application and Malpractice Review Panel.

**Donna A. Ruthe, *Public Member***

Ms. Ruthe is a public member of the Board, appointed to the Board on August 15, 2010. She is Owner and Broker of Today's Realty, Inc. She is a former Tahoe Regional Planning Agency Board Member and a past-President of the Greater Las Vegas Association of Realtors. Ms. Ruthe is a member of one of the Board's two Investigative Committees.

**Sue Lowden, *Public Member***

Ms. Lowden is a public member of the Board, appointed to the Board on December 13, 2010. She is a philanthropist, former journalist, businesswoman, and former Nevada State Senator. She is active in various civic and professional organizations. Ms. Lowden is a member of the Board's License Application and Malpractice Review Panel.

## BOARD STAFF

***Executive Staff:***

Douglas C. Cooper, CMBI, Executive Director  
Edward O. Cousineau, J.D., Deputy Executive Director  
Donya Jenkins, Finance Manager

***Administrative Staff:***

Laurie L. Munson, Chief of Administration and Information Systems  
Helena J. Teeples, Administrative Assistant  
Julie M. Espinoza, Credentialing and Consumer Assistance Specialist

***Legal Division Staff:***

Lyn E. Beggs, J.D., General Counsel  
Bradley O. Van Ry, J.D., Deputy General Counsel  
Angelia L. Donohoe, Legal Assistant

***Investigative Staff:***

Pamela J. Castagnola, CMBI, Interim Chief of Investigations  
Heather L. Higgins, CMBI, Deputy Chief of Investigations  
Trent S. Hiatt, CMBI, Investigator  
Shawna M. Rice, CMBI, Investigator  
Donald A. Andreas, CMBI, Investigator, Las Vegas office  
Monica C. Gustafson, Investigator  
Steven Ray, Investigator, Las Vegas office  
Johnna S. LaRue, Compliance Officer  
Samantha M. Hendricks, Investigations Coordinator  
Pamela C. Gabica, Administrative Assistant, Las Vegas office  
Jerry C. Calvanese, M.D., Medical Reviewer

### *Licensing Staff:*

Lynnette L. Daniels, Chief of Licensing  
Carolyn H. Castleman, Deputy Chief of Licensing  
Brett M. Canady, License Specialist  
Brandi M. Harris, License Specialist  
Kristi L. Stewart, License Specialist  
Michael Siva, License Specialist  
Florlinda C. Grabek, Licensing Support Specialist

## ACCOMPLISHMENTS IN 2010

Work in 2010 focused on internal reorganization, programs and expansion, all while reigning in and holding down costs.

- ★ **Executive Director** – Mr. Douglas C. Cooper, CMBI, was officially appointed as Executive Director of the Board on March 12, 2010, from the Interim position he assumed in October 2009. Mr. Cooper had been Chief of the Investigations Division since 2002.
- ★ **Budget Reform** – The Board enjoyed success in renegotiation of property leasing, in-depth examination and resultant savings in the Board's operational budget, cost cutting by 15% with nearly 50% of the Board's established vendors, and streamlining of internal Board procedures overall. These activities resulted in substantial savings and thereby allowed the Board to move forward with several needed programs and expansion.
- ★ **Las Vegas Office** – Budget savings and procedural streamlining allowed the Board to establish and staff a budget-neutral Las Vegas office. The office is currently an Investigations Division satellite office, but is slated to be a fully staffed Board office operating on all aspects of the Board's public mission and offering full services to its licensees. It is located at 6010 S. Rainbow Blvd., Building A, Suite 2, Las Vegas.
- ★ **Internal Reorganization** – The Board restructured the Management and Legal areas by adding a dedicated Deputy Executive Director, appointing a sole General Counsel (both from current staff), and adding a third attorney. Mr. Edward Cousineau moved from co-General Counsel in the Legal Division to Deputy Executive Director while maintaining a specific legal case load. Ms. Lyn Beggs assumed duties as the Board's General Counsel, and Mr. Brad Van Ry was added to staff as Deputy General Counsel.
- ★ **AIM Assessment** – The Board underwent an external performance assessment by the national organization *Administrators in Medicine*. The assessment was favorable, and also provided several ideas for the Board to consider adding to its programs and policies. The assessment is available publicly on the Board's Website, and was provided to Nevada's Executive and Legislative Branches.
- ★ **Ten-Year and Three-Year Reviews** – Staff conducted a required "ten-year review" of all of the Board's regulations and a "three-year review" of all standards of practice, summaries of which were forwarded to the Legislative Counsel Bureau prior to the start of the 2011 legislative session.

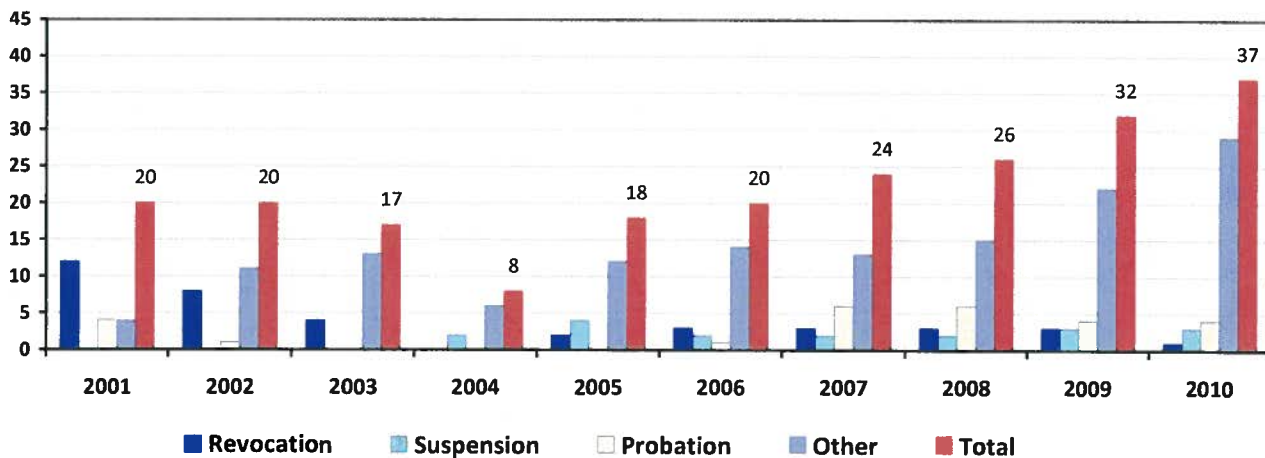
- ★ **Diversion Programs** – The Board established a bank of *Memorandums of Understanding* with external addiction recovery and “diversion” programs, thereby expanding the number of program options available to its licensees-in-need in virtually all areas of behavioral concern. This, of course, is paramount to the protection of Nevada citizens and overall public safety.
- ★ **Continued Reduction in Licensure and Investigative Turnaround Times** – The Board continued to reduce its average turnaround times for both license issuance and resolution of investigative complaints. At the end of 2010, the average turnaround time for the issuance of a full active license was 60 calendar days and the average turnaround time for an investigative inquiry initiated in 2010 was 115 calendar days.
- ★ **Updated Newsletter Format** – In order to be more informative to its readers, the Board began enhancing its Newsletters to include written submissions from guest authors, special reports, and opinions and positions from the state medical association and societies, as well as from others. These additions have been well-received by our readership.

## COMPLAINTS, INVESTIGATIONS AND DISCIPLINE

The upward trend in complaints processed by the Board continued in 2010.

In 2010, the Board opened 775 investigations, closed 923 investigations (many of which, of course, originated in preceding years) and imposed 37 disciplinary actions in 36 matters. The graph below shows the number and types of discipline imposed by the Board regarding physicians for the last ten years. As the graph indicates, the number of disciplinary matters coming before the Board has continued to increase over the last six years.

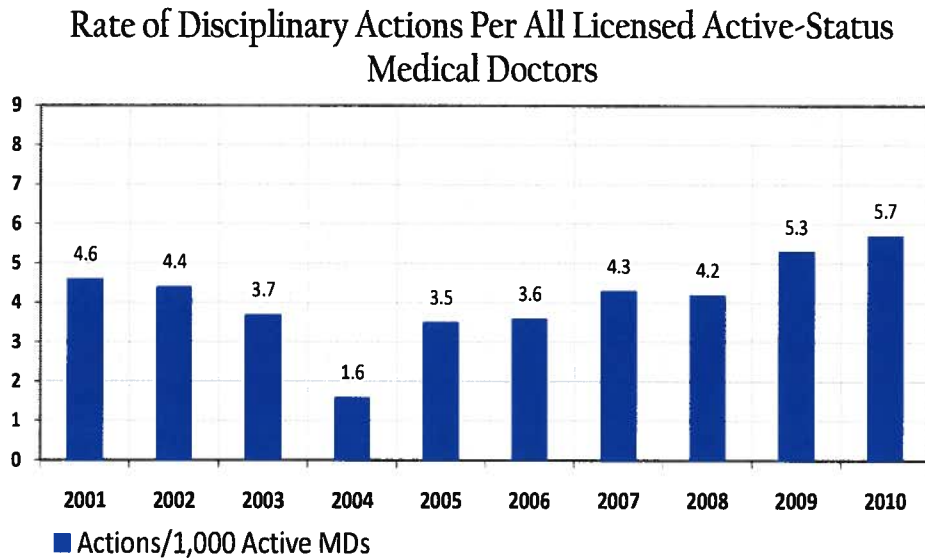
Disciplinary Actions Taken Against Medical Doctors\*



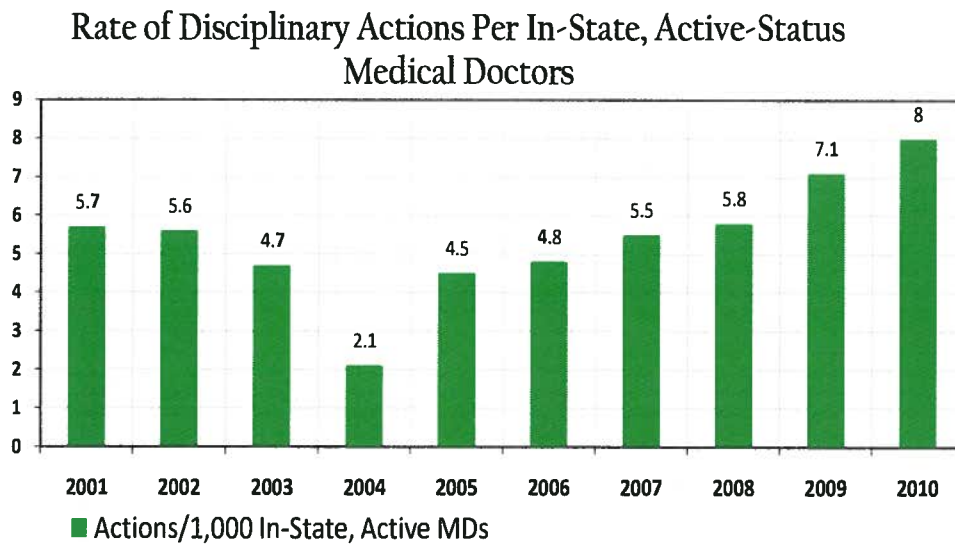
Note: Other actions include: Voluntary Surrender of License While Under Investigation, License Restriction, Public Reprimand, Licensure Denial, CME Ordered, Drug or Alcohol Treatment Program Ordered, and Competency Exam Ordered.

\*Any discrepancy in these numbers from a report published by any other source is due to: (1) differences in verbiage or categorization; or (2) differences in the number of actions taken per practitioner.

The graph below shows the rate of disciplinary actions taken by the Board per 1,000 active-status licensed physicians for the last ten years.



The graph below shows the rate of disciplinary actions taken by the Board per 1,000 in-state, active-status, licensed physicians for the last ten years.



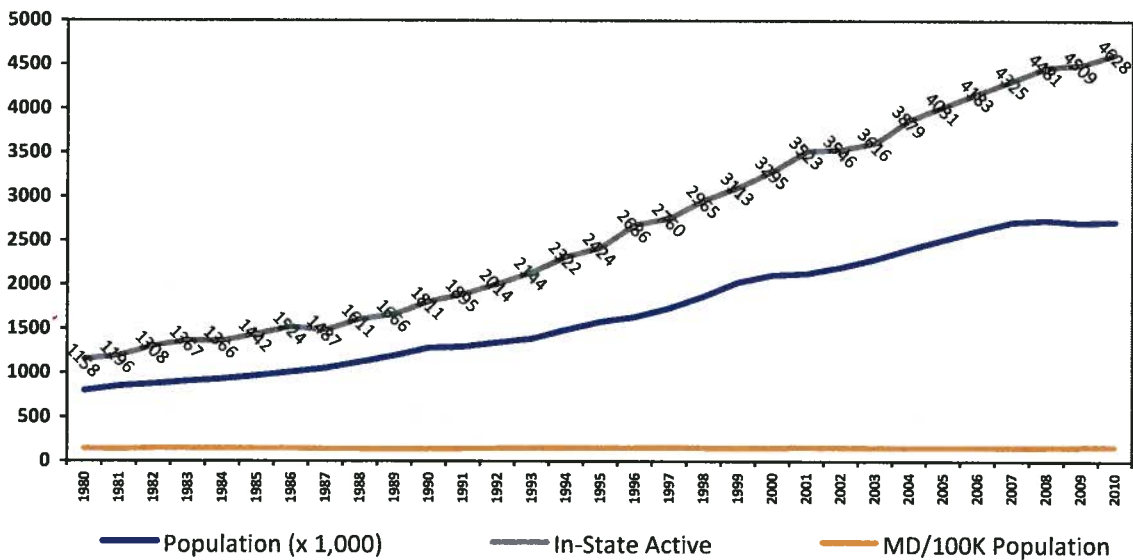
# LICENSING

The Board licenses physicians, physician assistants, respiratory therapists and perfusionists. In 2010, the Board issued the following new licenses:

| Practice               |     |
|------------------------|-----|
| Physicians             | 437 |
| Physician Assistants   | 54  |
| Respiratory Therapists | 141 |
| Perfusionists          | 27  |

In 2010, the ratio of physicians to 100,000 population\* again increased over the previous year. The following graph shows the growth of the state's population (measured in thousands so that the trend line will fit on the graphs), the growth in the state's active, in-state physician population (in absolute numbers), and the ratio of physicians to population (measured as physician per 100,000 population). From 1980 through 1992, the ratio of physicians to 100,000 population was relatively static, staying between 140 and 151 physicians per 100,000 population throughout these years. From 1993 through 2007, the ratio increased, averaging between 153 to 161 physicians per 100,000. In 2008, the ratio increased to 164, in 2009 it increased to 166, and in 2010, the ratio increased again, to 170.

Comparison of Population With In-State Active Physicians



\*Population statistics provided by the Nevada State Demographer, University of Nevada.

The growth in physician licensure for active, in-state physicians in 2010 was 2.6% over 2009. The following table is a county-by-county breakdown of physician licenses for the last ten years. Notable on the table is the overall stasis in the state's counties, with only Clark County showing a significant increase. Washoe and Carson City Counties experienced slight growth.

### Physician Licensure Counts (2001-2010)

| County  | 2001        | 2002        | 2003        | 2004        | 2005        | 2006        | 2007        | 2008        | 2009        | 2010        |
|---|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|
| Carson City   | 125         | 137         | 141         | 141         | 143         | 144         | 140         | 142         | 143         | 151         |
| Churchill   | 21          | 21          | 24          | 25          | 24          | 22          | 21          | 23          | 22          | 20          |
| Clark   | 2314        | 2321        | 2366        | 2578        | 2729        | 2850        | 2949        | 3060        | 3086        | 3186        |
| Douglas   | 67          | 72          | 74          | 82          | 79          | 82          | 93          | 97          | 85          | 84          |
| Elko  | 50          | 48          | 41          | 41          | 42          | 41          | 41          | 46          | 45          | 46          |
| Esmeralda   | 0           | 0           | 0           | 0           | 0           | 0           | 0           | 0           | 0           | 0           |
| Eureka  | 1           | 2           | 1           | 1           | 0           | 1           | 1           | 1           | 1           | 0           |
| Humboldt  | 7           | 6           | 7           | 6           | 6           | 7           | 9           | 9           | 10          | 9           |
| Lander  | 3           | 3           | 3           | 3           | 3           | 2           | 2           | 2           | 3           | 3           |
| Lincoln   | 2           | 3           | 1           | 2           | 1           | 1           | 1           | 2           | 2           | 2           |
| Lyon  | 10          | 14          | 15          | 12          | 11          | 13          | 13          | 11          | 14          | 13          |
| Mineral   | 5           | 6           | 4           | 6           | 6           | 5           | 6           | 5           | 6           | 6           |
| Nye   | 18          | 21          | 22          | 23          | 20          | 18          | 19          | 17          | 16          | 15          |
| Pershing  | 2           | 2           | 2           | 2           | 2           | 3           | 2           | 2           | 2           | 3           |
| Storey  | 0           | 0           | 1           | 1           | 1           | 1           | 0           | 0           | 0           | 0           |
| Washoe  | 889         | 879         | 903         | 944         | 952         | 981         | 1017        | 1056        | 1064        | 1081        |
| White Pine  | 9           | 11          | 11          | 12          | 12          | 12          | 11          | 8           | 10          | 9           |
| <b>In-State Active Status</b>                                   | <b>3523</b> | <b>3546</b> | <b>3616</b> | <b>3879</b> | <b>4031</b> | <b>4183</b> | <b>4325</b> | <b>4481</b> | <b>4509</b> | <b>4628</b> |
| Out-of-State Active Status                                      | 824         | 991         | 956         | 1206        | 1076        | 1388        | 1309        | 1655        | 1577        | 1888        |
| <b>TOTAL ACTIVE STATUS</b>                                      | <b>4347</b> | <b>4537</b> | <b>4572</b> | <b>5085</b> | <b>5107</b> | <b>5571</b> | <b>5634</b> | <b>6136</b> | <b>6086</b> | <b>6516</b> |
| Inactive & Retired Statuses                                     | 1033        | 1010        | 902         | 898         | 833         | 834         | 776         | 760         | 781         | 770         |
| <b>TOTAL LICENSED (Active, Inactive &amp; Retired Statuses)</b> | <b>5380</b> | <b>5547</b> | <b>5474</b> | <b>5983</b> | <b>5940</b> | <b>6405</b> | <b>6410</b> | <b>6896</b> | <b>6867</b> | <b>7286</b> |

The number of physician assistants increased by 6.7% in 2010. The locale of physician assistants trends similarly to the locale of physicians statewide, as is shown on the following table. The only counties showing notable growth in the number of physician assistants are Clark and Washoe Counties.

### Physician Assistant Licensure Counts (2001-2010)

| County                     | 2001       | 2002       | 2003       | 2004       | 2005       | 2006       | 2007       | 2008       | 2009       | 2010       |
|----------------------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|
| Carson City                | 11         | 11         | 9          | 9          | 12         | 14         | 15         | 15         | 14         | 13         |
| Churchill                  | 3          | 3          | 5          | 6          | 5          | 3          | 6          | 7          | 6          | 4          |
| Clark                      | 129        | 153        | 173        | 215        | 230        | 262        | 271        | 307        | 310        | 332        |
| Douglas                    | 4          | 4          | 6          | 4          | 8          | 10         | 15         | 15         | 10         | 11         |
| Elko                       | 6          | 7          | 3          | 3          | 3          | 7          | 7          | 6          | 5          | 5          |
| Esmeralda                  | 0          | 0          | 0          | 0          | 0          | 0          | 0          | 0          | 0          | 0          |
| Eureka                     | 0          | 1          | 1          | 1          | 0          | 1          | 1          | 1          | 1          | 1          |
| Humboldt                   | 1          | 1          | 1          | 1          | 1          | 1          | 1          | 1          | 0          | 0          |
| Lander                     | 0          | 0          | 0          | 1          | 1          | 1          | 1          | 1          | 1          | 0          |
| Lincoln                    | 0          | 0          | 0          | 1          | 1          | 2          | 3          | 2          | 3          | 3          |
| Lyon                       | 2          | 1          | 1          | 4          | 4          | 4          | 2          | 4          | 5          | 6          |
| Mineral                    | 2          | 2          | 2          | 1          | 1          | 1          | 1          | 1          | 1          | 1          |
| Nye                        | 6          | 8          | 5          | 7          | 10         | 10         | 6          | 10         | 6          | 7          |
| Pershing                   | 0          | 0          | 0          | 0          | 0          | 0          | 0          | 0          | 0          | 0          |
| Storey                     | 0          | 0          | 0          | 0          | 1          | 1          | 1          | 1          | 1          | 1          |
| Washoe                     | 28         | 30         | 41         | 48         | 61         | 71         | 76         | 83         | 82         | 91         |
| White Pine                 | 2          | 2          | 1          | 1          | 1          | 1          | 1          | 1          | 1          | 1          |
| <b>TOTAL ACTIVE STATUS</b> | <b>194</b> | <b>223</b> | <b>248</b> | <b>302</b> | <b>339</b> | <b>389</b> | <b>407</b> | <b>455</b> | <b>446</b> | <b>476</b> |

The number of respiratory therapists increased by 10% in 2010. Most of the growth was focused in Clark and Washoe Counties.

### Respiratory Therapist Licensure Counts (2001-2010)

| County                     | 2001       | 2002       | 2003       | 2004       | 2005       | 2006       | 2007       | 2008       | 2009        | 2010        |
|----------------------------|------------|------------|------------|------------|------------|------------|------------|------------|-------------|-------------|
| Carson City                | 11         | 14         | 10         | 11         | 9          | 10         | 9          | 10         | 12          | 12          |
| Churchill                  | 5          | 4          | 8          | 9          | 8          | 9          | 8          | 8          | 5           | 5           |
| Clark                      | 399        | 449        | 491        | 557        | 557        | 640        | 655        | 743        | 798         | 880         |
| Douglas                    | 12         | 19         | 13         | 13         | 12         | 14         | 16         | 18         | 20          | 20          |
| Elko                       | 6          | 6          | 5          | 5          | 7          | 10         | 7          | 7          | 5           | 6           |
| Esmeralda                  | 0          | 0          | 0          | 0          | 0          | 0          | 0          | 0          | 0           | 0           |
| Eureka                     | 0          | 0          | 0          | 0          | 0          | 0          | 0          | 0          | 0           | 0           |
| Humboldt                   | 4          | 10         | 5          | 6          | 3          | 3          | 5          | 5          | 4           | 4           |
| Lander                     | 2          | 2          | 2          | 2          | 2          | 2          | 2          | 3          | 1           | 1           |
| Lincoln                    | 2          | 2          | 2          | 2          | 2          | 2          | 2          | 2          | 0           | 0           |
| Lyon                       | 10         | 16         | 18         | 19         | 19         | 19         | 19         | 20         | 16          | 18          |
| Mineral                    | 2          | 2          | 2          | 2          | 2          | 2          | 2          | 3          | 3           | 3           |
| Nye                        | 7          | 15         | 7          | 10         | 11         | 10         | 11         | 8          | 10          | 11          |
| Pershing                   | 0          | 0          | 0          | 0          | 0          | 0          | 0          | 0          | 0           | 0           |
| Storey                     | 1          | 1          | 1          | 1          | 1          | 1          | 0          | 1          | 0           | 0           |
| Washoe                     | 122        | 154        | 152        | 163        | 151        | 153        | 154        | 163        | 160         | 176         |
| White Pine                 | 2          | 1          | 3          | 3          | 3          | 3          | 2          | 2          | 3           | 4           |
| <b>TOTAL ACTIVE STATUS</b> | <b>587</b> | <b>748</b> | <b>719</b> | <b>803</b> | <b>787</b> | <b>878</b> | <b>892</b> | <b>993</b> | <b>1037</b> | <b>1140</b> |

### Perfusionist Licensure Count (2010)\*

| County                     | 2010      |
|----------------------------|-----------|
| Carson City                | 1         |
| Churchill                  | 0         |
| Clark                      | 20        |
| Douglas                    | 0         |
| Elko                       | 0         |
| Esmeralda                  | 0         |
| Eureka                     | 0         |
| Humboldt                   | 0         |
| Lander                     | 0         |
| Lincoln                    | 0         |
| Lyon                       | 0         |
| Mineral                    | 0         |
| Nye                        | 0         |
| Pershing                   | 0         |
| Storey                     | 0         |
| Washoe                     | 5         |
| White Pine                 | 0         |
| <b>TOTAL ACTIVE STATUS</b> | <b>26</b> |

\*In 2009, the Nevada State Legislature passed legislation requiring that all perfusionists must be licensed. No perfusionists were licensed by the Board prior to 2010.

## CONTACT INFORMATION

Questions or comments regarding this Annual Report should be directed to:

Douglas C. Cooper, CMBI  
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