

COPY

BEFORE THE BOARD OF MEDICAL EXAMINERS OF THE STATE OF NEVADA

* * * * *

1 **In The Matter of Charges and**)
 2)
 3 **Complaint Against**)
 4)
 5 **JANET ALBRIGHT, M.D.,**)
 6)
 7 **Respondent.**)
 8)
 9)
 10)

Case No. 09-8180-1

FILED

MAY 29 2009

NEVADA STATE BOARD OF
MEDICAL EXAMINERS

COMPLAINT

11 The Investigative Committee of the Nevada State Board of Medical Examiners, composed
 12 of Sohail U. Anjum, M.D., S. Daniel McBride, M.D., and Mr. Van V. Hefner, by and through
 13 Edward Cousineau, General Counsel for the Nevada State Board of Medical Examiners, having a
 14 reasonable basis to believe that Janet Albright, M.D., hereinafter referred to as "Respondent," has
 15 violated the provisions of NRS Chapter 630, hereby issues its formal Complaint, stating the
 16 Investigative Committee's charges and allegations, as follows:
 17

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

21 2. Patient A was a fifty-one-year-old female at the time of events at issue. Her true
 22 identity is not disclosed herein to protect her privacy, but is disclosed in the Patient Designation
 23 served on Respondent along with a copy of this Complaint.

24 3. Patient A first presented to Respondent for a consultation on May 3, 2005, with
 25 complaints of varicose veins in both legs. Respondent ordered a venous duplex scan which was
 26 later accomplished by Patient A. The scan demonstrated an incompetent right greater saphenous
 27 vein, but showed no evidence of an abnormal left greater saphenous vein. Additionally, the left
 28 lesser saphenous vein was found to be incompetent. Respondent recommended a right greater

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1 saphenous and left lesser saphenous venous ablation surgical procedure to address Patient A's
2 medical circumstance.

3 4. On October 20, 2005, after informed consent was obtained for the
4 aforementioned surgical procedure, Respondent ablated both the right and left greater saphenous
5 vein and the incompetent left lesser saphenous vein was left untouched.

6 5. Based upon the foregoing, Respondent failed to use the reasonable knowledge,
7 skill and expertise ordinarily used in similar circumstances in his treatment of Patient A, in that
8 the ablation of the left greater saphenous vein was unnecessary based upon the preoperative
9 venous duplex scan and that the surgical procedure accomplished by Respondent did not coincide
10 with the informed consent obtained from the patient.

11 6. Section 630.301(4) of the Nevada Revised Statutes provides that malpractice,
12 defined as the failure to use the reasonable knowledge, skill and expertise ordinarily used in
13 similar circumstances, is grounds for discipline.

14 7. Respondent committed malpractice in the course of providing care and treatment to
15 Patient A and is subject to discipline by the Nevada State Board of Medical Examiners as provided
16 in NRS 630.352.

17 **WHEREFORE**, the Investigative Committee prays:

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

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

23 3. That the Board determine what sanctions it deems appropriate to impose for the
24 violation committed by Respondent; and

25 4. That the Board make, issue and serve on Respondent its findings of facts,

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conclusions of law and order, in writing, that includes the sanctions imposed.

DATED this 29th day of May, 2009.

By: 
Edward Cousineau
Attorney for the Investigative Committee of the
Nevada State Board of Medical Examiners

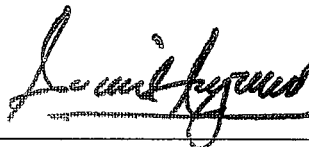
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VERIFICATION

STATE OF NEVADA)
 : ss.
COUNTY OF CLARK)

Sohail U. Anjum, 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 26th day of May, 2009.



Sohail U. Anjum, M.D.

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CERTIFICATE OF MAILING

I hereby certify that I am employed by Nevada State Board of Medical Examiners and that on the 29th day of May 2009, I served a file copy of the COMPLAINT, PATIENT DESIGNATION, FINGERPRINTING INFORMATION & SETTLEMENT, WAIVER & CONSENT AGREEMENT, by mailing via USPS certified return receipt to the following:

Edward J. Lemons, Esq.
Lemons, Grundy & Eisenberg
6005 Plumas St., Ste. 300
Reno, NV 89509

Dated this 29th day of May 2009.



Angeli Donohoe
Legal Assistant

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