

COPY

BEFORE THE BOARD OF MEDICAL EXAMINERS OF THE STATE OF NEVADA

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5 **In The Matter of Charges and**)
6 **Complaint Against**)
7 **KENT SKOGERSON, M.D.,**)
8 **Respondent.**)
9)
10)

Case No. 09-8167-1

FILED

NOV 23 2009

NEVADA STATE BOARD OF
MEDICAL EXAMINERS

COMPLAINT

11
12 The Investigative Committee of the Nevada State Board of Medical Examiners, composed
13 of S. Daniel McBride, M.D. and Van Heffner, Member, having a reasonable basis to believe that
14 Kent Skogerson, M.D., hereinafter referred to as Dr. Skogerson, has violated the provisions of NRS
15 Chapter 630, hereby issues its formal Complaint, stating the Investigative Committee's charges and
16 allegations, as follows:

17 1. Dr. Skogerson is currently licensed in suspended for non-payment status, but was
18 licensed in active status at the time of all events discussed herein and was so licensed by the Nevada
19 State Board of Medical Examiners, on September 17, 1988 (License No. 5737), pursuant to the
20 provisions of Chapter 630 of the Nevada Revised Statutes.

21 2. Patient A was a twenty-seven year old female when she first presented to
22 Dr. Skogerson. Her true identify is not disclosed to protect her privacy, but her identity is disclosed
23 in the Patient Designation served on Dr. Skogerson along with a copy of this Complaint.

24 3. Patient A first presented to Dr. Skogerson in July 2002 to discuss surgical weight
25 loss alternatives. It was determined that Patient A would undergo a Roux-en-Y gastric bypass
26 procedure after completion of required consultations.

27 4. On January 16, 2003, Patient A saw Dr. Skogerson for a pre-operative history and
28 physical for the Roux-en-Y gastric bypass procedure which was scheduled for January 23, 2003.

OFFICE OF THE GENERAL COUNSEL
Nevada State Board of Medical Examiners
1105 Terminal Way #301
Reno, Nevada 89502
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1 Patient A's vitals at the time indicated blood pressure of 120/92, pulse of 84, respiration of 12 and
2 oxygen saturation on room air at 96%.

3 5. Patient A was admitted to Carson Tahoe Hospital and underwent a Roux-en-Y
4 gastric bypass surgery performed by Dr. Skogerson on January 23, 2003, a JP drain was placed and
5 she was discharged to recovery in satisfactory condition.

6 6. Patient A recovered in the hospital for the next several days. During her recovery
7 Patient A had consistent tachycardia, had oxygen saturation levels in the low 90% range even on
8 supplemental oxygen, and she was slightly febrile throughout her stay at Carson Tahoe Hospital.

9 7. Patient A had blood work completed on January 26, 2003 which indicated a white
10 blood cell count of 1589/uL.

11 8. Patient A was seen by Dr. Skogerson on the morning of January 27, 2003 and was
12 subsequently discharged home with supplemental oxygen.

13 9. On January 30, 2003, Patient A saw Dr. Skogerson in his office for a post-operative
14 visit. During the visit Patient A's pulse was 128 and her oxygen saturation was 93% on room air.
15 Dr. Skogerson notes indicate that her drain was cloudy and smelly, indicating a leak. Patient A was
16 sent to get a CT scan and an x-ray of her chest and abdomen. Blood work was also completed
17 which indicated a WBC of almost 19,000/uL.

18 10. Patient A was ultimately discovered to have a gastric leak, a known complication of
19 the Roux-en-Y gastric bypass procedure, and was appropriately treated.

20 **Count I**

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

24 12. Nevada Revised Statute Section 630.301(4) provides that malpractice is grounds for
25 initiating disciplinary action against a licensee.

26 13. Dr. Skogerson failed to use the reasonable care, skill, or knowledge ordinarily used
27 under similar circumstances when he discharged Patient A from the hospital when she was not
28 stable for discharge as evidenced by the totality of her condition at the time of discharge and

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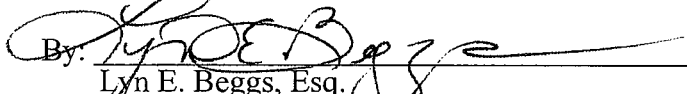
accordingly Dr. Skogerson is subject to discipline by the Nevada State Board of Medical Examiners as provided in Section 630.352 of the Nevada Revised Statutes.

WHEREFORE, the Investigative Committee prays:

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 Dr. Skogerson 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 Dr. Skogerson; and
4. That the Nevada State Board of Medical Examiners make, issue and serve on Dr. Skogerson 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 23rd day of November, 2009.

THE NEVADA STATE BOARD OF MEDICAL EXAMINERS

By: 

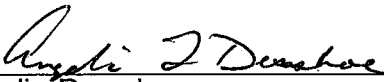
Lyn E. Beggs, Esq.
General Counsel and Attorney for the Investigative Committee

CERTIFICATE OF MAILING

I hereby certify that I am employed by Nevada State Board of Medical Examiners and that on the 23rd day of November 2009, I served a file copy of the COMPLAINT, PATIENT DESIGNATION and ORIGINAL SETTLEMENT AGREEMENT along with FINGERPRINT INFORMATION, by mailing USPS certified mail to the following:

Michael Navratil, Esq.
John Cotton & Associates
2300 West Sahara Ave., Ste. 420
Las Vegas, NV 89102

Dated this 23rd day of November 2009.



Angelia Donohoe
Legal Assistant

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