

OFFICE OF THE GENERAL COUNSEL  
Nevada State Board of Medical Examiners  
1105 Terminal Way #301  
Reno, Nevada 89502  
(775) 688-2559

1                                   **BEFORE THE BOARD OF MEDICAL EXAMINERS**  
2                                   **OF THE STATE OF NEVADA**

3                                   \* \* \* \* \*

4  
5 **In The Matter of Charges and**                   )  
6 **Complaint Against**                            )  
7 **LAYFE ANTHONY, M.D.,**                        )  
8                                                        )  
9                                   **Respondent.**                                    )

Case No. 09-11193-1

**FILED**

**DEC 01 2009**

NEVADA STATE BOARD OF  
MEDICAL EXAMINERS

10  
11                                   **COMPLAINT**

12                                   The Investigative Committee of the Nevada State Board of Medical Examiners, composed  
13 at the time filing was approved of Charles N. Held, M.D., Benjamin J. Rodriguez, M.D. and  
14 Jean Stoess, having a reasonable basis to believe that Layfe Anthony, M.D., hereinafter referred to  
15 as Dr. Anthony, has violated the provisions of NRS Chapter 630, hereby issues its formal  
16 Complaint, stating the Investigative Committee's charges and allegations, as follows:

17                                   1.       Dr. Anthony is currently licensed in inactive status (License No. 9724), and has  
18 been so licensed since June 29, 2007 and was licensed in active status by the Nevada State Board  
19 of Medical Examiners, between March 3, 2001 and June 29, 2007, pursuant to the provisions of  
20 Chapter 630 of the Nevada Revised Statutes. Dr. Anthony was licensed in either active or inactive  
21 status at all times addressed herein.

22                                   2.       Dr. Anthony was licensed to practice medicine in the state of Utah on September  
23 13, 1994.

24                                   3.       On April 3, 2001, the state of Utah issued an emergency order restricting  
25 Dr. Anthony's license based on care given to several patients between 1997 and 2001.

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1           4.       In July 2001, Dr. Anthony provided medical care to one patient that was outside of  
2 restrictions placed on this license and subsequently on August 31, 2001, Utah suspended  
3 Dr. Anthony's remaining medical privileges.

4           5.       On February 4, 2002, Dr. Anthony pled no contest to one count of Negligent  
5 Homicide, a Class A Misdemeanor in Utah, in association with the care of a patient in 1999.

6           6.       On August 26, 2003, Dr. Anthony entered into a Stipulation and Order with Utah  
7 which stayed the suspension of his medical privileges and placed him on probation for a period of  
8 five years with multiple conditions. In November 2003, Utah modified the Stipulation and Order,  
9 lessening the restrictions on Dr. Anthony's Utah license.

10          7.       In December 2005, the Investigative Committee of the Nevada State Board of  
11 Medical Examiners filed a formal disciplinary complaint against Dr. Anthony regarding the  
12 suspension of his Utah medical license, his failure to timely report the suspension to the Nevada  
13 Board of Medical Examiners and his failure to disclose his suspension or probation on his 2005  
14 Nevada renewal application.

15          8.       Dr. Anthony entered into a settlement agreement with the Nevada State Board of  
16 Medical Examiners in September 2006 regarding two of the three counts contained in the formal  
17 complaint. Dr. Anthony's Nevada license was suspended for one year, with the suspension being  
18 stayed on the condition that he remain in compliance with and satisfactorily complete his Utah  
19 probation among other terms and conditions.

20          9.       On September 29, 2008 Utah issued an order terminating Dr. Anthony's probation  
21 indicating that he had unsatisfactorily completed the terms and conditions of his August 2003  
22 Stipulation and Order.

23          10.      On November 24-25, 2008 a hearing was held by the Division of Occupational and  
24 Professional Licensing of the State of Utah, to determine whether disciplinary action should be  
25 taken against Dr. Anthony's Utah medical license based on multiple allegations.

26          11.      On January 28, 2009, an Administrative Law Judge issued a Findings of Fact,  
27 Conclusions of Law and Recommended Order which was adopted the same day by the director of  
28 the Division of Occupational and Professional Licensing of the State of Utah and which revoked

1 Dr. Anthony's Utah medical license. The revocation was recommended based upon evidence  
2 presented regarding a variety of issues including but not limited to Dr. Anthony keeping sample  
3 medications in his vehicle, including controlled substances and other prescription medications;  
4 repackaging and relabeling said medications and dispensing them to patients; his relationship with  
5 a woman and his treatment of she and her son; his use prescription forms bearing an inaccurate  
6 address; his failure to submit a triplicate copy of a prescription in violation of his August 2003  
7 order and his failure to disclose his Utah disciplinary sanction to Nevada during licensing renewal.

8 12. Dr. Anthony did timely notify the Nevada State Board of Medical Examiners on  
9 February 13, 2009 that his Utah license to practice medicine was revoked.

10 **Count I**

11 13. Nevada Revised Statute Section 630.301(3) provides that the revocation of a  
12 license to practice any type of medicine by another state is grounds for initiating discipline against  
13 a licensee.

14 14. Dr. Anthony's medical license was revoked by the state of Utah on January 28,  
15 2009 and accordingly Dr. Anthony is subject to discipline by the Nevada State Board of Medical  
16 Examiners as provided in Section 630.352 of the Nevada Revised Statutes.

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

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

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

23 3. That the Nevada State Board of Medical Examiners determine what sanctions it  
24 determines to impose for the violation or violations committed by Dr. Anthony; and

25 4. That the Nevada State Board of Medical Examiners make, issue and serve on  
26 Dr. Anthony its findings of facts, conclusions of law and order, in writing, that includes the  
27 sanctions imposed; and

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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 18<sup>th</sup> day of December, 2009.

THE NEVADA STATE BOARD OF MEDICAL EXAMINERS

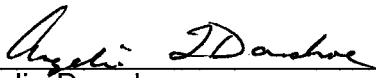
By:   
Lynn E. Beggs, Esq.  
General Counsel and Attorney for the Investigative Committee

**CERTIFICATE OF MAILING**

I hereby certify that I am employed by Nevada State Board of Medical Examiners and that on the 1<sup>st</sup> day of December 2009, I served a file copy of the COMPLAINT, and ORIGINAL SETTLEMENT AGREEMENT along with FINGERPRINT INFORMATION, by mailing USPS certified mail to the following:

Layfe Anthony, M.D.  
1303 South Wasatch Dr.  
Salt Lake City, UT 84108

Dated this 1<sup>st</sup> day of December 2009.

  
\_\_\_\_\_  
Angelia Donohoe  
Legal Assistant