

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

3 * * * * *


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

Case No. 09-11193-1

FILED

SEP 17 2010

NEVADA STATE BOARD OF
MEDICAL EXAMINERS

By: 

9
10 **FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER**

11 The above-entitled matter came on regularly for decision before the Nevada State
12 Board of Medical Examiners, hereinafter "Board," on Friday, September 10, 2010, at the
13 Board's offices located at 1105 Terminal Way, Suite 301, Reno, Nevada, 89502, and by
14 video conference at the offices of the Nevada State Board of Dental Examiners located
15 at 6010 S. Rainbow Boulevard, Building A, Suite 1, Las Vegas, Nevada 89118, on the
16 Complaint filed herein. Respondent Layfe Anthony, M.D., hereinafter "Respondent," was
17 not present.

18 The members of the Board participating in the decision were:
19 Mr. Van V. Heffner; Beverly Neyland, M.D.; Michael Fischer, M.D. and
20 Ms. Donna A. Ruthe. Keith D. Marcher, Senior Deputy Attorney General, acted as legal
21 counsel to the Board.

22 The Board, having received and read the Complaint and exhibits admitted in the
23 matter, as well as the Synopsis of Record prepared by the Hearing Officer who presided
24 over the hearing and the transcript of the hearing, proceeded to make a decision
25 pursuant to the provisions of NRS chapters 233B and 630.

26 The Board, after due consideration of the record, evidence and law, and being
27 fully advised in the premises, makes its FINDINGS OF FACT, CONCLUSIONS OF LAW
28 AND ORDER in this matter as follows:

1 **FINDINGS OF FACT**

2 I.

3 Respondent held an active license to practice medicine in the state of Nevada
4 between March 3, 2001 and June 29, 2007, and an inactive license since
5 June 29, 2007.

6 II.

7 On December 1, 2009, the Investigative Committee filed the Complaint in this
8 matter alleging violations of Chapter 630 of the Nevada Revised Statutes.

9 III.

10 On June 15, 2010, a hearing was held before an appointed Hearing Officer on the
11 allegations contained within the Complaint. Respondent was not present at the hearing
12 and was not represented by counsel. The Investigative Committee was represented by
13 Lyn E. Beggs, Esq.

14 IV.

15 Respondent was licensed to practice medicine in the state of Utah on
16 September 13, 1994. In April 2001, the state of Utah issued an emergency order
17 restricting Respondent's license and in August 2001, Utah suspended Respondent's
18 remaining medical privileges.

19 In August 2003, Respondent entered into a Stipulation and Order with Utah
20 staying the suspension of his medical privileges and placing him on probation for five
21 years. In November 2003, Utah modified the Stipulation and Order, lessening the
22 restrictions on Respondent's license.

23 In December 2005, the Investigative Committee of the Nevada State Board of
24 Medical Examiners filed a formal disciplinary Complaint against Respondent regarding
25 the suspension of his Utah medical license, his failure to timely report the suspension
26 and his failure to disclose his suspension or probation on his 2005 Nevada renewal
27 application. Respondent entered into a settlement agreement with the Nevada State
28 Board of Medical Examiners in September 2006 which issued a stayed suspension and

1 placed him on probation with the condition that he remain in compliance with, and
2 satisfactorily complete, his Utah probation, among other terms and conditions.

3 In September 2008, Utah terminated Respondent's probation indicating that he
4 had unsatisfactorily completed the terms and conditions of his August 2003 Stipulation
5 and Order. A disciplinary hearing was held in Utah in November 2008, regarding
6 multiple new allegations. On January 28, 2009, the state of Utah revoked Respondent's
7 Utah medical license. The revocation was timely reported to the Nevada State Board of
8 Medical Examiners.

9 **V.**

10 The Board finds by reliable, probative and substantial evidence that Respondent
11 violated NRS 630.301(3) as alleged in Count I of the Complaint when Respondent's
12 license to practice medicine was revoked by the state of Utah on January 28, 2009.

13 **VI.**

14 If any of the foregoing Findings of Fact is more properly deemed a Conclusion of
15 Law, it may be so construed.

16 **CONCLUSIONS OF LAW**

17 **I.**

18 The Board has jurisdiction over Respondent.

19 **II.**

20 Respondent was properly served with notice of the hearing via certified mail at
21 the address on file with the Board pursuant to NRS and NAC chapters 630 and
22 NRS chapter 233B.

23 **III.**

24 The Board concludes that Respondent has violated NRS 630.301(3) as described
25 above and accordingly is subject to discipline pursuant to NRS 630.352.

26 **IV.**

27 If any of the foregoing Conclusions of Law is more properly deemed a Finding of
28 Fact, it may be so construed.

1 **ORDER**

2 Based upon the foregoing Findings of Fact and Conclusions of Law, and good
3 cause appearing therefore,

4 IT IS HEREBY ORDERED that:

5 1. Respondent's license to practice medicine in the state of Nevada shall be
6 revoked.

7 2. Respondent shall reimburse the Board the reasonable costs and expenses
8 incurred in the investigation and prosecution of this case in the amount of \$2,822.83 within
9 ninety (90) days of the filing of these Findings of Fact, Conclusions of Law and Order.

10 Dated this 17th day of September, 2010.

11 NEVADA STATE BOARD OF MEDICAL EXAMINERS

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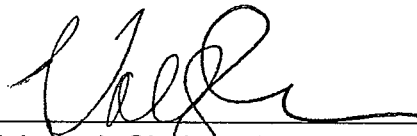
13 _____
14 CHARLES N. HELD, President
15 Nevada State Board of Medical Examiners

16 **CERTIFICATION**

17 I certify that the foregoing is the full and true original FINDINGS OF FACT,
18 CONCLUSIONS OF LAW AND ORDER on file in the office of the Board of Medical
19 Examiners in the matter of LAYFE ANTHONY, M.D., Case No. 09-11193-1.

20 I further certify that CHARLES N. HELD, M.D., is the President of the Nevada
21 State Board of Medical Examiners and that full force and credit is due to his official acts
22 as such; and that the signature to the foregoing ORDER is the signature of said
23 CHARLES N. HELD, M.D.

24 IN WITNESS THEREOF, I have hereunto set my hand in my official capacity as
25 Secretary-Treasurer of the Nevada State Board of Medical Examiners.

26 

27 _____
28 Valerie J. Clark, BSN, RHU, LUTCF
Secretary-Treasurer
Nevada State Board of Medical Examiners