

1 4. Patient A's stay at Complex Care lasted until November 17, 2011, approximately
2 twenty-two (22) days, when she was discharged.

3 5. During Patient A's stay at Complex Care, she was not able to have a bowel
4 movement during the first twelve days except for a couple of stools after an enema.

5 6. On November 7, 2011, abdominal x-rays showed "moderate to marked gaseous
6 distention of a loop of colon in the right abdomen" and "modest distension more distally." The
7 radiologist noted marked colonic obstruction versus localized colonic ileus.

8 7. As a result, Respondent was asked for a G.I. consult on Patient A. Respondent first
9 evaluated Patient A on November 8, 2011.

10 8. Respondent noted that the reasons for his G.I. consult were constipation, anemia
11 and abdominal pain. Respondent noted the impression, not the actual review, of Patient A's recent
12 abdominal x-rays. Respondent felt that Patient A's constipation was due to narcotics for recurring
13 abdominal pain.

14 9. Respondent planned to treat the constipation aggressively with osmotic laxatives
15 and avoidance of narcotics for abdominal pain with use of levsin instead.

16 10. Despite this, Patient A failed to have few, if any, bowel movements during the
17 remainder of her stay at Complex Care. Patient A also continued to suffer abdominal and/or rectal
18 pain requiring narcotics while at Complex Care. This continued up to, and including, the day of
19 her discharge from Complex Care on November 17, 2011.

20 11. Two days later, on November 19, 2011, Patient A was admitted back into
21 Centennial Hills for hematochezia and mental status changes.

22 12. On November 21, 2011, Patient A underwent abdominal surgery for acute
23 abdomen. The surgeon performed a cholecystectomy, a subtotal colectomy and created an
24 ileostomy.

25 13. Unfortunately, at no time did Respondent follow up on Patient A's abnormal x-ray
26 of November 7, 2011. Respondent should have proceeded with either repeat abdominal x-rays
27 and/or a CT scan of the abdomen and pelvis with or without oral contrast. These omissions fell
28 below the standard of care.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

24. By reason of the foregoing, Respondent is subject to discipline by the Board as provided in NRS 630.352.

WHEREFORE, the Investigative Committee prays:

1. That the Board give Respondent notice of the charges herein against him and give him notice that he may file an answer to the Complaint herein as set forth in NRS 630.339(2) within twenty (20) days of service of the Complaint;

2. That the Board set a time and place for a formal hearing after holding an Early Case Conference pursuant to NRS 630.339(3);

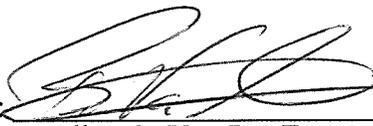
3. That the Board determine what sanctions it will impose if it finds Respondent violated the MPA;

4. That the Board make, issue and serve on Respondent, in writing, its findings of fact, conclusions of law and order, which shall include the sanctions imposed; and,

5. That the Board take such other and further action as may be just and proper in these premises.

DATED this 13th day of August, 2014.

INVESTIGATIVE COMMITTEE OF THE
NEVADA STATE BOARD OF MEDICAL EXAMINERS

By: 
Bradley O. Van Ry, Esq.
General Counsel
Attorney for the Investigative Committee

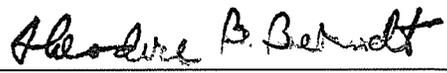
VERIFICATION

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

STATE OF NEVADA)
 : ss.
COUNTY OF WASHOE)

Theodore B. Berndt, M.D., hereby deposes and states under penalty of perjury under the laws of the state of Nevada that he is the Chair of the Investigative Committee of the Nevada State Board of Medical Examiners that authorized the foregoing Complaint against the Respondent herein; that he has read the foregoing Complaint; and that based upon information discovered during the course of the investigation into a complaint against Respondent, he believes the allegations and charges in the foregoing Complaint against Respondent are true, accurate and correct.

Dated this 13th day of August, 2014.



Theodore B. Berndt, M.D.

1 **CERTIFICATE OF SERVICE**

2 I hereby certify that I am employed by Nevada State Board of Medical Examiners and that
3 on 14th day of August 2014; I served a filed copy of COMPLAINT PATIENT DESIGNATION &
4 FINGERPRINT INFORMATION, via USPS e-certified mail to the following:

5 Frank Faris, M.D.
6 3150 N. Tenaya Way, Ste. 580
7 Las Vegas, NV 89128

8 Dated this 14th day of August, 2014.

9
10 

11 _____
12 Angelia L. Donohoe
13 Legal Assistant
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28