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

\* \* \* \* \*

**In the Matter of Charges and** )  
 )  
**Complaint Against** )  
 )  
**KENNETH WESTFIELD, M.D.,** )  
 )  
**Respondent.** )

**Case No. 14-5797-1**

**FILED**

**AUG 20 2014**

NEVADA STATE BOARD OF  
MEDICAL EXAMINERS

By: \_\_\_\_\_

**FIRST AMENDED COMPLAINT**

The Investigative Committee (IC) of the Nevada State Board of Medical Examiners (Board), composed at the time of filing of Theodore B. Berndt, M.D., Valerie J. Clark, BSN, RHU, LUTCF, and Michael J. Fischer, M.D., by and through Bradley O. Van Ry, Board General Counsel and attorney for the IC, having a reasonable basis to believe that Kenneth Westfield, M.D. (Respondent), has violated the provisions of Nevada Revised Statutes (NRS) Chapter 630 and Nevada Administrative Code (NAC) Chapter 630, collectively the Medical Practice Act (MPA), hereby issues its formal Complaint, stating the IC's charges and allegations, as follows:

1. Respondent has been licensed in active status since January 1, 1980 (License No. 3953), pursuant to the provisions of the MPA.
2. Respondent was also licensed in the state of California at the time of the incidents complained of in this matter.
3. Respondent was also licensed in the state of Arizona at the time of the incidents complained of in this matter.
4. On or about June 11, 2013, the Medical Board of California entered into a Stipulated Surrender of License with Respondent which was a direct result of reciprocal discipline arising from a previous Board settlement with Respondent. This reciprocal discipline did not

1 include any new allegations of malpractice or other acts for which discipline may be imposed.  
2 The surrender of license was effective on or about June 18, 2013. At no time did Respondent  
3 disclose this surrender of license to the Board.

4 5. Previously, on or about June 7, 2012, the Arizona Medical Board issued an Order  
5 for Letter of Reprimand and Consent based upon a previous Board settlement with Respondent.  
6 This reciprocal discipline did not include any new allegations of malpractice or other acts for  
7 which discipline may be imposed. At no time did Respondent disclose the Arizona Medical  
8 Board's Order for Letter of Reprimand and Consent to the Board.

9 6. On or about May 10, 2013, Respondent renewed his license to practice medicine in  
10 the state of Nevada without informing the Board of either the pending Medical Board of California  
11 action or the Arizona Order for Letter of Reprimand and Consent to the same.

12 **Count I**

13 7. All of the above allegations in the above paragraphs are hereby incorporated as if  
14 fully set forth herein.

15 8. NRS 630.301(3) provides that any disciplinary action, including, without  
16 limitation, the revocation, suspension, modification or limitation of a license to practice any type  
17 of medicine, taken by another state is grounds for initiating disciplinary action against a licensee.

18 9. The disciplinary actions against Respondent, including, but not limited to, the  
19 Medical Board of California's Stipulated Surrender of License and/or the Arizona Medical  
20 Board's Order for Letter of Reprimand and Consent constitutes disciplinary action taken by  
21 another state that is grounds for initiating discipline against Respondent as a violation of the  
22 provisions of NRS 630.301(3).

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

25 **Count II**

26 11. All of the above allegations in the above paragraphs are hereby incorporated as if  
27 fully set forth herein.

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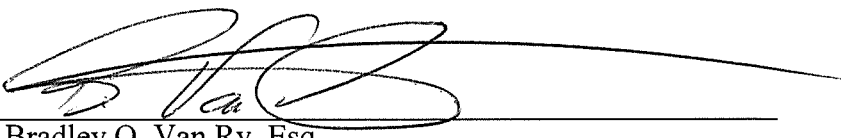
3. That the Board determine what sanctions it agrees upon to impose if it finds and concludes that there has been a violation or violations of the MPA committed by Respondent;

4. That the Board make, issue and serve on Respondent its findings of fact, conclusions of law and order, in writing, that includes 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 20<sup>th</sup> 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

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


VERIFICATION

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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 Chairman of the Investigative Committee of the Nevada State Board of Medical Examiners that authorized the foregoing First Amended Complaint against the Respondent herein; that he has read the foregoing First Amended 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 First Amended Complaint against Respondent are true, accurate and correct.

Dated this 20<sup>th</sup> day of August, 2014.

  
\_\_\_\_\_  
Theodore B. Berndt, M.D.


**CERTIFICATE OF SERVICE**

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I hereby certify that I am employed by Nevada State Board of Medical Examiners and that on 20<sup>th</sup> day of August 2014; I served a filed copy of FIRST AMENDED COMPLAINT, via USPS regular mail to the following:

Marie Ellerton, Esq.  
Mandelbaum, Ellerton & Kelly  
2012 Hamilton Lane  
Las Vegas, NV 89106

Dated this 20<sup>th</sup> day of August, 2014.

  
\_\_\_\_\_  
Angelia L. Donohoe  
Legal Assistant