

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

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6 **In the Matter of the Investigation of**)

Case No. 14-30193-1

7)
8 **ANDREW S. MARTIN, M.D.,**)

FILED

SEP 23 2014

9 **License No. 11416**)
10 _____)

NEVADA STATE BOARD OF
MEDICAL EXAMINERS

By: 

11 **ORDER OF SUMMARY SUSPENSION**

12 Prior to the preparation of this Order of Summary Suspension, Nevada State Board of
13 Medical Examiners' (Board) staff presented evidence and information to an Investigative
14 Committee (IC) of the Board, composed of Theodore B. Berndt, M.D., Valerie J. Clark, BSN,
15 RHU, LUTCF, and Michael J. Fischer, M.D., regarding Andrew S. Martin, M.D. (Dr. Martin).
16 Upon review of the evidence and information presented by Board staff, the IC hereby
17 **IMMEDIATELY SUSPENDS** Dr. Martin's license to practice medicine in the state of Nevada
18 pursuant to Nevada Revised Statute (NRS) 630.326(1) and NRS 630.318(1), based upon the
19 following preliminary findings:

20 1. Dr. Martin is a physician licensed to practice medicine in the state of Nevada
21 (License No. 11416). He was originally licensed by the Board on April 20, 2005.

22 2. On or about September 20, 2014, Las Vegas Metropolitan Police Department
23 (Metro) conducted a search on Dr. Martin's personal residence located at 1611 Villa Rica Dr.,
24 Henderson, NV, pursuant to a search warrant.

25 3. The following drugs were confiscated from Dr. Martin's personal residence:
26 cocaine, hallucinogenic mushrooms, marijuana, and methylenedioxyamphetamine (MDMA).

27 4. Dr. Martin admitted to Metro that he is a user of the drugs contained in paragraph
28 three (3).

1 5. Dr. Martin is an orthopedic surgeon with an active, unrestricted license to practice
2 medicine in the state of Nevada. He is currently scheduled to perform surgery September 26,
3 2014.

4 6. Based on the foregoing, the IC reasonably determines and believes that the health,
5 safety and welfare of the public is at imminent risk and that a summary suspension of
6 Dr. Martin's license to practice medicine in the state of Nevada is necessary to remove the risk of
7 imminent harm to the health, safety and welfare of the public.

8 7. Based on the foregoing, the IC believes a reasonable question exists as to the
9 competency of Dr. Martin to practice medicine with reasonable skill and safety to his patients.

10 Accordingly, pursuant to NRS 630.326(1) and NRS 630.318(1):

11 **IT IS HEREBY ORDERED** that the license to practice medicine in the state of Nevada
12 of Dr. Martin (License No. 11416) is **HEREBY SUSPENDED** until further order of the IC or
13 Board; and

14 **IT IS FURTHER ORDERED** that, pursuant to NRS 630.326(2), a hearing on this matter
15 is set for the 15th day of October, 2014, at 11:00 a.m., at the Board's office located at 1105
16 Terminal Way, Ste. 301, Reno, NV 89502, to determine whether this suspension may continue,
17 unless the parties mutually agree in writing to a divergent time frame; and

18 **IT IS FURTHER ORDERED** that Dr. Martin undergo a drug and alcohol evaluation
19 performed by Peter A. Mansky, M.D. (Dr. Mansky), at the offices of the Nevada Professionals
20 Assistance Program, 9811 W. Charleston Blvd., Ste 2-735, Las Vegas, NV 89117, no later than
21 September 30, 2014; and

22 **IT IS FURTHER ORDERED** that Dr. Martin shall execute a release in favor of the
23 Board and its IC to allow Dr. Mansky to provided the results of the evaluation directly to the
24 Board and its IC; and

25 **IT IS FURTHER ORDERED** that, pursuant to Nevada Administrative Code 630.080,
26 Dr. Martin shall pay for the costs and fees of the ordered evaluation; and

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IT IS FURTHER ORDERED that immediately upon presentation of this Order to you by a representative of the Board, you must provide an observed urine sample for testing, and pay all costs and fees associated with said testing.

BE ON NOTICE that NRS 630.318(3) provides that failure of a physician licensed by the Board to submit to an evaluation ordered by the Board or its IC constitutes an admission of the charges against the physician.

BE ON NOTICE that failure to comply with this Order is grounds for the initiation of disciplinary action pursuant to NRS 630.3065(2). Compliance with this Order is deemed compulsory and shall not be deemed to be cooperation subject to the protections provided to physicians in NRS 630.364(3).

DATED this 23rd day of September, 2014.

INVESTIGATIVE COMMITTEE OF THE
NEVADA STATE BOARD OF MEDICAL EXAMINERS

By: Theodore B. Berndt
Theodore B. Berndt, M.D.
Chairman, Investigative Committee