

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

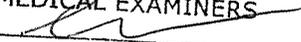
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6 **In the Matter of the Investigation of**)
7)
8 **DANA R. MARKS, M.D.,**)
9)
10 **License No. 9358**)

Case No. 14-18131-1

FILED

SEP 19 2014

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 Dana R. Marks, M.D. (Dr. Marks). Upon
16 review of the evidence and information presented by Board staff, the IC hereby **IMMEDIATELY**
17 **SUSPENDS** Dr. Marks's license to practice medicine in the state of Nevada pursuant to Nevada
18 Revised Statute (NRS) 630.326(1) and NRS 630.318(1), based upon the following preliminary
19 findings:

20 1. Dr. Marks is a physician licensed to practice medicine in the state of Nevada
21 (License No. 9358). He was originally licensed by the Board on May 1, 2000.

22 2. On or about August 30, 2014, Dr. Marks failed to appear for a 6:00 p.m. work shift
23 at Banner Churchill Community Hospital.

24 3. After waiting for one hour to hear from Dr. Marks regarding his failure to appear
25 for work, staff at the hospital called law enforcement to perform a welfare check on Dr. Marks.

26 4. At approximately 7:00 p.m., law enforcement proceeded to Dr. Marks's apartment
27 in Fallon, NV to perform a welfare check. After Dr. Marks failed to respond to law enforcement

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1 knocking on his front door, law enforcement performed a breach entry. Dr. Marks was found
2 alive but sleeping.

3 5. At approximately 8:30 p.m., Dr. Marks appeared at the hospital to work his 6:00
4 p.m. shift.

5 6. Hospital staff were concerned that Dr. Marks was intoxicated and asked him to
6 submit to an alcohol and drug test.

7 7. At approximately 9:30 p.m., Dr. Marks voluntarily submitted to an alcohol and
8 drug test.

9 8. Dr. Marks's alcohol and drug test demonstrated that Dr. Marks's blood alcohol
10 content was .223, which is nearly three times the legal limit.

11 9. Dr. Marks currently holds an active license to practice medicine in Nevada and is
12 on staff at Humboldt General Hospital.

13 10. Based on the foregoing, the IC reasonably determines and believes that the health,
14 safety and welfare of the public is at imminent risk and that a summary suspension of
15 Dr. Marks's license to practice medicine in the state of Nevada is necessary to remove the risk of
16 imminent harm to the health, safety and welfare of the public.

17 11. Based on the foregoing, the IC believes a reasonable question exists as to the
18 competency of Dr. Marks to practice medicine with reasonable skill and safety to his patients.

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

20 **IT IS HEREBY ORDERED** that the license to practice medicine in the state of Nevada
21 of Dr. Marks, (License No. 9358) is **HEREBY SUSPENDED** until further order of the IC or
22 Board; and

23 **IT IS FURTHER ORDERED** that pursuant to NRS 630.326(2), a hearing on this matter
24 is set for the **15th day of October, 2014, at 10:00 a.m.**, at the Board's office located at 1105
25 Terminal Way, Ste. 301, Reno, NV 89502, to determine whether this suspension may continue,
26 unless the parties mutually agree in writing to a divergent time frame; and

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