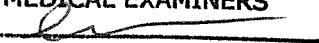


1 **BEFORE THE BOARD OF MEDICAL EXAMINERS**
2 **OF THE STATE OF NEVADA**

3 * * * * *

4
5 **In the Matter of Charges and**
6 **Complaint Against**
7 **Rogelio Machuca, M.D.,**
8 **Respondent.**

Case No. 15-33896-1

FILED
JUL 20 2015
NEVADA STATE BOARD OF
MEDICAL EXAMINERS
By: 

9
10 **COMPLAINT**

11
12 The Investigative Committee¹ (IC) of the Nevada State Board of Medical Examiners
13 (Board) hereby issues this formal Complaint (Complaint) against Rogelio Machuca, M.D.
14 (Respondent), a licensed physician in Nevada. After investigating this matter, the IC has a
15 reasonable basis to believe that Respondent has violated provisions of Nevada Revised Statutes
16 (NRS) chapter 630 and Nevada Administrative Code (NAC) chapter 630 (collectively Medical
17 Practice Act). The IC alleges the following facts:

- 18 1. Respondent was licensed by the Board, pursuant to the provisions of the Medical
19 Practice Act, on July 1, 2011, and is currently licensed in active status (License No. 13983).
20 2. At all times alleged herein, Respondent was working as a physician at Silver Sky
21 Assisted Living Center in Las Vegas, Nevada.
22 3. On or about July 10, 2014, staff at Silver Sky Assisted Living found nine signed
23 prescription forms that were lacking patient identification or orders. These prescription forms were
24 titled "Machuca Family Medicine-Hospice & Palliative Care."
25 4. The signature on each signed prescription form belonged to Respondent.
26 5. Based on the foregoing, the IC charges Respondent with the following violation of

27 ¹ The Investigative Committee of the Nevada State Board of Medical Examiners is composed of Board members
28 Theodore B. Berndt, M.D., Chairman, Valerie J. Clark, BSN, RHU, LUTCF, Member, and Michael J. Fischer, M.D.,
Member.

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

1 the Medical Practice Act:

2 6. NRS 630.304(4) provides that signing a blank prescription form is grounds for
3 initiating disciplinary action against a licensee.

4 7. As outlined above, Respondent violated NRS 630.304(4) when he signed nine
5 blank prescription forms.

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

8 **WHEREFORE**, the IC prays:

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

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


14 3. That the Board determine what sanctions to impose if it finds and concludes that
15 there has been a violation or violations of the Medical Practice Act committed by Respondent;

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

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

20 DATED this 20th day of July, 2015.

21 INVESTIGATIVE COMMITTEE OF THE
22 NEVADA STATE BOARD OF MEDICAL EXAMINERS

23 By: 
24 Erin L. Albright
25 General Counsel
26 Attorney for the Investigative Committee
27
28

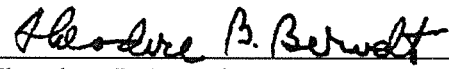
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VERIFICATION

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 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 20th day of July, 2015.



Theodore B. Berndt, M.D.


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CERTIFICATE OF MAILING

I hereby certify that I am employed by Nevada State Board of Medical Examiners and that on 21st day of July 2015; I served a file stamp copy of COMPLAINT & FINGERPRINT INFORMATION via USPS e-certified return receipt mail to the following:

Rogelio Machuca, M.D.
1501 S. Eastern Ave.
Las Vegas, NV 89104

Dated this 21st day of July, 2015.



Angelia L. Donohoe
Legal Assistant