

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

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

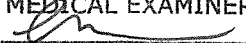
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5 **In the Matter of Charges and**  
6 **Complaint Against**  
7 **Donald Jeffrey Boss, M.D.,**  
8 **Respondent.**

Case No. 17-29055-1

**FILED**

**NOV - 6 2017**

NEVADA STATE BOARD OF  
MEDICAL EXAMINERS  
By: 

10                                   **COMPLAINT**

11                   The Investigative Committee<sup>1</sup> (IC) of the Nevada State Board of Medical Examiners  
12 (Board), hereby issues this formal Complaint against Donald Jeffrey Boss, M.D. (hereinafter  
13 referred to as Dr. Boss or Respondent), a licensed physician in Nevada. After investigating this  
14 matter, the IC has a reasonable basis to believe that Respondent has violated provisions of Nevada  
15 Revised Statutes (NRS) Chapter 630 and Nevada Administrative Code (NAC) Chapter 630  
16 (collectively, the Medical Practice Act).

17                   The IC alleges the following facts:

18                   1.           Respondent is a medical doctor who currently holds an expired license (License  
19 No. 11086). Respondent was issued his license from the Board on August 5, 2004, pursuant to  
20 NRS Chapter 630.

21                   2.           On October 31, 2013, Respondent drank alcohol to excess and operated a motor  
22 vehicle, and rear-ended another vehicle stopped at a red light in Los Angeles County, California.  
23 He failed field sobriety tests, was arrested and transported to jail, where his blood alcohol content  
24 (BAC) was tested and found to be in excess of 0.19 BAC.

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28 <sup>1</sup> The Investigative Committee of the Nevada State Board of Medical Examiners, at the time the filing of this  
Complaint was approved, was composed of Wayne Hardwick, M.D., Theodore B. Berndt, M.D., and Mr. M. Neil  
Duxbury.

1           3.           On December 17, 2013, in the Superior Court for the State of California, County of  
2 Los Angeles, Respondent pled no contest and was convicted of violating California Vehicle Code  
3 No. 23152, subdivision (b) (driving with a blood alcohol content of 0.08 or higher), a  
4 misdemeanor.

5           4.           On June 26, 2015, on his Nevada medical license renewal application, Respondent  
6 answered “NO” to the following question:

7           Have you been investigated for, charged with, convicted of, or pled guilty or nolo  
8 contendere to [any offense of federal, state or local law] . . . which is a  
9 misdemeanor . . . , excluding any minor traffic offense (driving or being in control  
10 of a motor vehicle while under the influence of a chemical substance, including  
11 alcohol, is not considered a minor traffic offense) . . .? **Please note that you**  
12 **MUST disclose ANY investigation or arrest, including those where the final**  
13 **disposition was dismissal, or expungement.”**

14           5.           On September 26, 2016, on account of Respondent’s conduct described herein in  
15 paragraphs 2 and 3 above, the Medical Board of California took disciplinary action against  
16 Respondent under his California Medical License No. G83220, pursuant to a disciplinary order  
17 consisting of a public reprimand.

18           6.           Respondent did not report to the Board in writing within 30 days (or since) the  
19 disciplinary action taken by the Medical Board of California.

20           7.           On November 7, 2016, on account of Respondent’s conduct described herein in  
21 paragraphs 2 and 3 above, the Illinois Medical Board took disciplinary action against Respondent  
22 under his Illinois Medical License No. 036-111536, pursuant to a disciplinary order consisting of  
23 a public reprimand.

24           8.           Respondent did not report to the Board in writing within 30 days (or since) the  
25 disciplinary action taken by the Illinois Medical Board.

26           9.           On December 6, 2016, on account of Respondent’s conduct described herein in  
27 paragraphs 2 and 3 above, and the California disciplinary action and Respondent’s failure to report  
28 that disciplinary action to the Kentucky Medical Board, the Kentucky Medical Board took

1 disciplinary action against Respondent under his Kentucky Medical License No. 41474 pursuant  
2 to a disciplinary order consisting of five years of probation, a \$2,000.00 fine, and a public  
3 reprimand.

4 10. Respondent did not report to the Board in writing within 30 days (or since) the  
5 disciplinary action taken by the Kentucky Medical Board.

6 **Count I**

7 **NRS 630.301(3)**

8 **(Disciplinary Action by Another Licensing Board)**

9 11. All of the allegations contained in the above paragraphs are hereby incorporated by  
10 reference as though fully set forth herein.

11 12. NRS 630.301(3) provides that any disciplinary action, including, without  
12 limitation, the revocation, suspension, modification or limitation of a license to practice any type  
13 of medicine, taken by another state is grounds for initiating disciplinary action or denying  
14 licensure.

15 13. Respondent was disciplined by the Medical Board of California for violating  
16 California Vehicle Code No. 23152, subdivision (b) (driving with a blood alcohol content of 0.08  
17 or higher), a misdemeanor.

18 14. By reason of the foregoing, Respondent is subject to discipline by the Nevada State  
19 Board of Medical Examiners as provided in NRS 630.352.

20 **Count II**

21 **NRS 630.301(3)**

22 **(Disciplinary Action by Another Licensing Board)**

23 15. All of the allegations contained in the above paragraphs are hereby incorporated by  
24 reference as though fully set forth herein.

25 16. NRS 630.301(3) provides that any disciplinary action, including, without  
26 limitation, the revocation, suspension, modification or limitation of a license to practice any type  
27 of medicine, taken by another state is grounds for initiating disciplinary action or denying  
28 licensure.

1 17. Respondent was disciplined by the Kentucky Medical Board for failing to report  
2 the disciplinary action taken by the Medical Board of California.

3 18. By reason of the foregoing, Respondent is subject to discipline by the Nevada State  
4 Board of Medical Examiners as provided in NRS 630.352.

5 **Count III**

6 **NRS 630.306(1)(k)**

7 **(Failure to Report Disciplinary Action)**

8 19. All of the allegations contained in the above paragraphs are hereby incorporated by  
9 reference as though fully set forth herein.

10 20. NRS 630.306(1)(k) provides that the failure by a licensee to report in writing,  
11 within 30 days, any disciplinary action taken against the licensee by another state is grounds for  
12 initiating disciplinary action or denying licensure.

13 21. Respondent did not report to the Board in writing within 30 days (or since) the  
14 disciplinary action taken by the Medical Board of California.

15 22. By reason of the foregoing, Respondent is subject to discipline by the Nevada State  
16 Board of Medical Examiners as provided in NRS 630.352.

17 **Count IV**

18 **NRS 630.306(1)(k)**

19 **(Failure to Report Disciplinary Action)**

20 23. All of the allegations contained in the above paragraphs are hereby incorporated by  
21 reference as though fully set forth herein.

22 24. NRS 630.306(1)(k) provides that the failure by a licensee to report in writing,  
23 within 30 days, any disciplinary action taken against the licensee by another state is grounds for  
24 initiating disciplinary action or denying licensure.

25 25. Respondent did not report to the Board in writing within 30 days (or since) the  
26 disciplinary action taken by the Illinois Medical Board.

27 26. By reason of the foregoing, Respondent is subject to discipline by the Nevada State  
28 Board of Medical Examiners as provided in NRS 630.352.



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**MUST disclose ANY investigation or arrest, including those where the final disposition was dismissal, or expungement.”**

34. By reason of the foregoing, Respondent is subject to discipline by the Nevada State Board of Medical Examiners as provided in NRS 630.352.

**WHEREFORE**, the Investigative Committee prays:

1. That the Nevada State Board of Medical Examiners 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 Nevada State Board of Medical Examiners set a time and place for a formal hearing after holding an Early Case Conference pursuant to NRS 630.339(3);


3. That the Nevada State Board of Medical Examiners determine what sanctions to impose if it determines there has been a violation or violations of the Medical Practice Act committed by Respondent;

4. That the Nevada State Board of Medical Examiners 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 Nevada State Board of Medical Examiners take such other and further action as may be just and proper in these premises.

DATED this 6 day of November, 2017.

INVESTIGATIVE COMMITTEE OF  
THE NEVADA STATE BOARD OF MEDICAL EXAMINERS

By:   
Robert Kilroy, Esq., General Counsel  
Aaron Bart Fricke, Esq., Deputy General Counsel  
Donald K. White, Esq., Deputy General Counsel  
Attorneys for the Investigative Committee

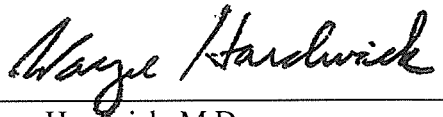
VERIFICATION

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STATE OF NEVADA            )  
  : ss.  
COUNTY OF WASHOE        )

Wayne Hardwick, M.D., having been duly sworn, hereby deposes and states under penalty of perjury that he is the Chairman of the Investigative Committee of the Nevada State Board of Medical Examiners that authorized the Complaint against the Respondent herein; that he has read the foregoing Complaint; and that based upon information discovered in the course of the investigation into a complaint against Respondent, he believes that the allegations and charges in the foregoing Complaint against Respondent are true, accurate, and correct.

DATED this 6th day of November, 2017.

  
\_\_\_\_\_  
Wayne Hardwick, M.D.

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Nevada State Board of Medical Examiners  
1105 Terminal Way #301  
Reno, Nevada 89502  
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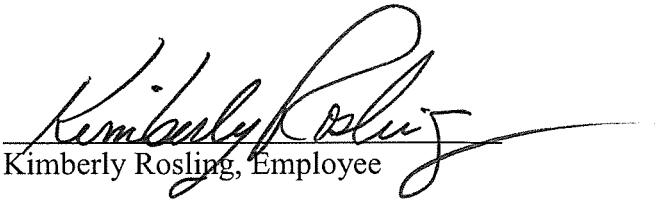
**CERTIFICATE OF SERVICE**

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I hereby certify that I am employed by the Nevada State Board of Medical Examiners and that on the 6<sup>th</sup> day of November, 2017, I served a file-stamped copy of the COMPLAINT and FINGERPRINT INFORMATION, via USPS e-certified return receipt mail (9171 9690 0935 0040 5783 06) to the following:

Donald Jeffrey Boss, M.D.  
30057 Avenida Tranquila  
Rancho Palos Verdes, CA 90275

DATED this 6<sup>th</sup> day of November, 2017.

  
Kimberly Rosling, Employee