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

\* \* \* \* \*

**In the Matter of Charges and** )  
 )  
**Complaint Against** )  
 )  
**Frank Pallares, M.D.,** )  
 )  
**Respondent.** )  
\_\_\_\_\_ )

Case No. 17-40466-1

**FILED**

**MAR - 7 2017**

NEVADA STATE BOARD OF  
MEDICAL EXAMINERS

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

**COMPLAINT**

The Investigative Committee<sup>1</sup> (IC) of the Nevada State Board of Medical Examiners, having a reasonable basis to believe that Frank Pallares, M.D. (hereinafter referred to as Dr. Pallares or Respondent), has violated the provisions of Nevada Revised Statutes (NRS) Chapter 630 and Nevada Administrative Code (NAC) Chapter 630 (collectively, the Medical Practice Act), hereby issues its formal Complaint, stating the IC’s charges and allegations, as follows:

**Respondent’s Licensure Status**

1. Respondent is currently licensed in inactive status (License No. 14727). Respondent was issued his license from the Nevada State Board of Medical Examiners on March 8, 2013, pursuant to the provisions of NRS Chapter 630.

2. On February 5, 2016, the Arizona Medical Board issued Findings of Fact, Conclusions of Law and Order for Letter of Reprimand and Probation to Respondent based on deviations from standard of care, which constituted unprofessional conduct pursuant to A.R.S. § 32-1401(27)(q) (“any conduct or practice that is or might be harmful or dangerous to the

<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 health of the patient or the public”) and for unprofessional conduct pursuant to A.R.S. § 32-  
2 1401(27)(r) (“violating a formal order, probation, consent agreement or stipulation issued or  
3 entered into by the board or its executive director under the provisions of this chapter”).

4 3. On December 9, 2016, by way of an Order for Surrender of License and Consent to  
5 Same, the Arizona Medical Board ordered that Respondent immediately surrender License  
6 Number 41363 for the practice of allopathic medicine in the State of Arizona, which superseded  
7 the February 5, 2016 Findings of Fact, Conclusions of Law and Order for Letter of Reprimand and  
8 Probation.

9 4. Although Respondent had already attended a PACE program and was aware of the  
10 investigation by the Arizona Medical Board against him in 2015, Respondent failed to report the  
11 investigation to the Nevada State Board of Medical Examiners on his license renewal application  
12 in June 2015.

13 5. Respondent did not timely report the February 5, 2016 Findings of Fact,  
14 Conclusions of Law and Order for Letter of Reprimand and Probation to the Nevada State Board  
15 of Medical Examiners.

16 6. Respondent did not timely report the December 9, 2016 Order for Surrender of  
17 License and Consent to the Same to the Nevada State Board of Medical Examiners.

18 **Count I**

19 **(NRS 630.301(3))**

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

22 8. NRS 630.301(3) provides that any disciplinary action, including the revocation,  
23 suspension, modification or limitation of a license to practice any type of medicine, taken by  
24 another state, is grounds for initiating disciplinary action against a licensee.

25 9. On February 5, 2016, the Arizona Medical Board issued Findings of Fact,  
26 Conclusions of Law and Order for Letter of Reprimand and Probation to Respondent based on  
27 deviations from standard of care and unprofessional conduct. The Arizona Medical Board ordered  
28 that Respondent was not permitted to practice medicine in the State of Arizona until a competency

1 evaluation was completed. The Arizona Medical Board ordered Board staff or its agents to conduct  
2 periodic chart reviews of Respondent's current patients' charts.

3 10. The Arizona Medical Board's February 5, 2016 Findings of Fact, Conclusions of Law  
4 and Order for Letter of Reprimand and Probation was a disciplinary action taken by another state.

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

7 **Count II**

8 **(NRS 630.306(1)(k))**

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

11 13. NRS 630.306(1)(k) provides that failure by a licensee or applicant to report in  
12 writing, within 30 days, any disciplinary action taken against the licensee or applicant by another  
13 state, the Federal Government or a foreign country, including, without limitation, the revocation,  
14 suspension or surrender of a license to practice medicine in another jurisdiction, is grounds for  
15 initiating disciplinary action.

16 14. Respondent was disciplined by the Arizona Medical Board as described above.

17 15. Respondent failed to timely report the disciplinary action taken by the Arizona  
18 Medical Board.

19 16. Accordingly, Respondent is in violation of NRS 630.306(1)(k).

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

22 **Count III**

23 **(NRS 630.304(1))**

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

26 19. NRS 630.304(1) provides that obtaining, maintaining or renewing or attempting to  
27 obtain, maintain or renew a license to practice medicine by bribery, fraud or misrepresentation or  
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1 by any false, misleading, inaccurate or incomplete statement is grounds for initiating disciplinary  
2 action.

3 20. Respondent answered “no” to the license renewal application question asking  
4 whether he had been asked to respond to an investigation, notified he was under an investigation,  
5 investigated, charged with, or convicted of any violation of a statute, rule or regulation governing  
6 your practice as a physician by any medical licensing board on his license renewal application  
7 dated June 4, 2015.

8 21. As of June 4, 2015, Respondent had participated in the PACE Phase 1 program on  
9 or about June 6-7, 2014, and presented for Phase 2 on or about March 9, 2015.

10 22. Accordingly, Respondent’s answer on the license renewal application was false.

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

13 **Count IV**

14 **(NRS 630.301(3))**

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

17 25. NRS 630.301(3) provides that any disciplinary action, including the revocation,  
18 suspension, modification or limitation of a license to practice any type of medicine, taken by  
19 another state, is grounds for initiating disciplinary action against a licensee.

20 26. On December 9, 2016, the Arizona Medical Board issued its Order for Surrender of  
21 License and Consent to the Same, effective immediately, to Respondent.

22 27. The Arizona Medical Board’s December 9, 2016 Order was a disciplinary action  
23 taken by another state.

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

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Count V

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

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

30. NRS 630.306(1)(k) provides that failure by a licensee or applicant to report in writing, within 30 days, any disciplinary action taken against the licensee or applicant by another state, the Federal Government or a foreign country, including, without limitation, the revocation, suspension or surrender of a license to practice medicine in another jurisdiction, is grounds for initiating disciplinary action.

31. On December 9, 2016, the Arizona Medical Board issued its Order for Surrender of License and Consent to the Same, effective immediately, to Respondent.

32. Respondent failed to timely report the disciplinary action taken by the Arizona Medical Board.

33. Accordingly, Respondent is in violation of NRS 630.306(1)(k).

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

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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 7<sup>th</sup> day of March, 2017.

INVESTIGATIVE COMMITTEE OF  
THE NEVADA STATE BOARD OF MEDICAL EXAMINERS

By: Jasmine K. Mehta

Robert Kilroy, Esq.

General Counsel and Attorney for the Investigative Committee

Jasmine K. Mehta, Esq.

Deputy General Counsel and Attorney 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 7<sup>th</sup> day of March, 2017.

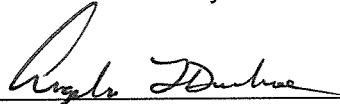
  
\_\_\_\_\_  
Wayne Hardwick, M.D.

CERTIFICATE OF MAILING

I hereby certify that I am employed by Nevada State Board of Medical Examiners and that on 7<sup>th</sup> day of March 2017; I served a file copy of COMPLAINT & Fingerprint Information, via USPS certified electronic return receipt mail to the following:

Frank Pallares, M.D.  
16 Sixpence Way  
Coronado, CA 92118-3213

Dated this 7<sup>th</sup> day of March, 2017.



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Angelia L. Donohoe  
Legal Assistant

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