

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

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4
5 **In the Matter of Charges and**
6 **Complaint Against**
7 **Jorge Ysacc Burgos, M.D.,**
8 **Respondent.**

Case No. 17-26547-1

FILED

AUG 11 2017

NEVADA STATE BOARD OF
MEDICAL EXAMINERS
By: 

9
10 **FIRST AMENDED COMPLAINT**

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

17 1. Respondent is licensed in Nevada in active status (License No. 10622) and was licensed by
18 the Board on August 27, 2003.

19 2. On or about September 21, 2016, Respondent was arrested for open and gross lewdness
20 with female patients. On or about October 20, 2016, Respondent was again arrested for additional
21 counts of open and gross lewdness with female patients. Respondent was released on bail the
22 following day.

23 3. On or about February 2, 2017, an Amended Indictment alleging three counts of open and
24 gross lewdness against Respondent was filed, and Respondent entered into a Guilty Plea
25 Agreement.

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¹ The Investigative Committee (IC) of the Nevada State Board of Medical Examiners (Board) was composed of Board members Wayne Hardwick, M.D., Chairman, Mr. M. Neil Duxbury, Public Member, Aury Nagy, M.D.

1 4. On or about July 27, 2017, Respondent with his legal counsel appeared before the Eighth
2 Judicial District Court in Clark County, Nevada, and was adjudged to be guilty of three (3) counts
3 of Open or Gross Lewdness (Gross Misdemeanor) in violation of NRS 201.210. Respondent was
4 sentenced as follows: 1) on Count 1 – to Clark County Detention Center (CCDC) for 364 days, on
5 Count 2 to CCDC for 364 days, consecutive to Count 1, and on Count 3, to CCDC to 364
6 consecutive to Count 1 and 2; placed on probation for an indeterminate period not to exceed three
7 (3) years;

8 5. Respondent is to comply with the standard terms of probation set forth in the Presentence
9 Investigation Report, in addition to the following special conditions: (a) complete a sex offender
10 treatment program as recommended by the Division of Parole & Probation (P & P); (b) attend
11 thirty (30) therapy sessions; (c) take online empathy course for at least four (4) hours; (d) serve
12 seven (7) days flat time, beginning on Friday July 28, 2017, to be served on Friday evening with
13 release on Sunday; (e) avoid use of alcohol to excess, which is a 0.08 standard; (f) abide by any
14 curfew as deemed necessary by P & P; (g) no contact whatsoever with the victim or victim's
15 family, unless they decide to continue seeking medical treatment with Respondent; and, h) report
16 to P & P on July 31, 2017 and register as a sex offender in accordance with NRS 179D.460 within
17 48 hours after sentencing.

18 **Count I**

19 **NRS 630.301(9) (Engaging in conduct that brings the medical profession into disrepute)**

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

22 7. NRS 630.301(9) provides that engaging in conduct that brings the medical profession into
23 disrepute, including, without limitation, conduct that violates any provision of a code of ethics
24 adopted by the Board by regulation based on a national code of ethics is grounds for initiating
25 disciplinary action.

26 8. Respondent engaged in conduct that brings the medical profession into disrepute by
27 engaging in conduct that amounted to open and gross lewdness with his female patients.

28 9. By reason of the foregoing, Respondent is subject to discipline by the Board as provided in

1 NRS 630.352.

2 **Count II**

3 **NRS 630.301(11)(d) (Conviction of a sexually related crime)**

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

6 11. NRS 630.301(11)(d) provides that conviction of sexual assault, statutory sexual seduction,
7 incest, lewdness, indecent exposure or any other sexually related crime is grounds for initiating
8 disciplinary action.

9 12. Respondent was convicted of three counts of Open and Gross Lewdness with his female
10 patients.

11 13. Based on these facts, Respondent was convicted of three counts of a sexually related
12 crime.

13 14. By reason of the foregoing, Respondent is subject to discipline by the Board as provided
14 in NRS 630.352.

15 **Count III**

16 **NRS 630.301(11)(g) (Conviction of an offense involving moral turpitude)**

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

19 16. NRS 630.301(11)(g) provides that conviction of any offense involving moral turpitude is
20 grounds for initiating disciplinary action.

21 17. Respondent was convicted of three counts of Open and Gross Lewdness.

22 18. Open and Gross Lewdness is an offense involving moral turpitude.

23 19. By reason of the foregoing, Respondent is subject to discipline by the Board as provided
24 in NRS 630.352.

25 **WHEREFORE**, the IC prays that the Board:

26 20. Give Respondent notice of the charges set forth in this Complaint;

27 21. Give Respondent notice that Respondent may file an answer to the Complaint as set forth
28 in NRS 630.339(2) within 20 days of service of the Complaint;

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22. Set a time and place for a formal hearing after holding an Early Case Conference pursuant to NRS 630.339(3);

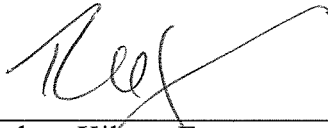
23. Determine the sanctions it will impose if it finds Respondent violated the Medical Practice Act;

24. Make, issue, and serve on Respondent, in writing, its findings of fact, conclusions of law and order, which shall include the sanctions, if imposed; and

25. Take such other and further action as may be just and proper in this matter.

Dated this 11 day of August, 2017.

INVESTIGATIVE COMMITTEE OF THE
NEVADA STATE BOARD OF MEDICAL EXAMINERS

By: 

Robert Kilroy, Esq.
General Counsel
Jasmine K. Mehta, Esq.
Deputy General Counsel
Attorneys for the Investigative Committee

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VERIFICATION

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STATE OF NEVADA)
 : ss.
COUNTY OF WASHOE)

Dr. Wayne Hardwick, 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 First Amended Complaint; and 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 11th day of August, 2017.



Dr. Wayne Hardwick, M.D.
Chairman, Investigative Committee
Nevada State Board of Medical Examiners