

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

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

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

* * * * *

In the Matter of Charges and)
Complaint Against)
ROBERT W. WATSON, M.D.,)
Respondent.)

Case No. 15-12823-1

FILED

JUL 21 2017

NEVADA STATE BOARD OF
MEDICAL EXAMINERS

By: 

FIRST AMENDED COMPLAINT

The Investigative Committee (IC) of the Nevada State Board of Medical Examiners (Board), composed of, at the time of filing, Wayne Hardwick, M.D., Chairman, Mr. M. Neil Duxbury, Member, and Aury Nagy, M.D., Member, by and through Robert Kilroy, Esq., Board General Counsel and attorney for the IC, having a reasonable basis to believe that Robert W. Watson, M.D. (Respondent), violated the provisions of Nevada Revised Statutes (NRS) Chapter 630 and Nevada Administrative Code (NAC) Chapter 630 (collectively, Medical Practice Act), hereby issues its formal First Amended Complaint (Complaint), stating the IC's charges and allegations as follows:

1. Respondent is currently licensed in active status (License No. 9076), and has been so licensed by the Board since July 12, 1999, pursuant to the provisions of the Medical Practice Act.

2. Patient A was a forty-eight (48)-year-old female at the time of the incidents in question. Her true identity is not disclosed in this Complaint to protect her identity, but her identity is disclosed in the Patient Designation contemporaneously served on Respondent with this Complaint.

///

1 3. Patient A was admitted to St. Mary's Hospital on September 9, 2010, with
2 diverticular disease complicated by the development of an abscess adjacent to the affected
3 sigmoid colon.

4 4. On September 10, 2010, Respondent discussed the various treatment options with
5 Patient A. After this discussion, Patient A agreed to undergo a colorectal anastomosis.

6 5. On September 13, 2010, Respondent performed a colorectal anastomosis on
7 Patient A.

8 6. Postoperatively, Patient A began passing green enteric fluid from her vagina.

9 7. On September 24, 2010, a different physician performed an exploratory
10 laparotomy. During this subsequent surgery, it was discovered that the physician assistant who
11 assisted Respondent placed the circular staple device in Patient A's vagina instead of the rectum,
12 leading to a direct colovaginal anastomosis instead of a colorectal anastomosis.

13 8. Respondent's failure to recognize the fact that the physician assistant's placement
14 of the staple device was incorrect prior to stapling the anastomosis constitutes malpractice.

15 **COUNT I**

16 **NAC 630.230(1)(i)**

17 **(Failure to Supervise Physician Assistant)**

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

20 10. NAC 630.230 states that a person who is licensed as a physician shall not engage in
21 prohibited professional conduct.

22 11. NAC 630.230(1)(i) states that it is prohibited professional conduct for a physician
23 to fail to provide adequate supervision of a physician assistant.

24 12. As demonstrated by, but not limited to, the above-outlined facts, Respondent failed
25 to provide adequate supervision of his physician assistant when he failed to recognize the fact that
26 the physician assistant placed the staple device in the wrong location prior to stapling the
27 anastomosis.

28 ///

OFFICE OF THE GENERAL COUNSEL

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

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

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

WHEREFORE, the Investigative Committee prays:

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

3. That the Board determine the sanctions it will impose if it finds Respondent violated the Medical Practice Act;

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

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

DATED this 21 day of July, 2017.

INVESTIGATIVE COMMITTEE OF THE
NEVADA STATE BOARD OF MEDICAL EXAMINERS

By: Robert Kilroy
Robert Kilroy, Esq.
General Counsel
Attorney for the Investigative Committee

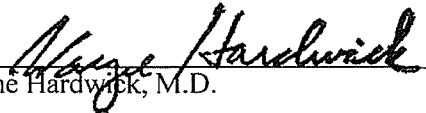
1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

VERIFICATION

STATE OF NEVADA)
 : ss.
COUNTY OF WASHOE)

Wayne Hardwick, 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 21st day of July, 2017.



Wayne Hardwick, M.D.

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

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

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

* * * * *

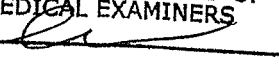
In the Matter of Charges and)
)
Complaint Against)
)
ROBERT W. WATSON, M.D.,)
)
Respondent.)

Case No. 15-12823-1

FILED

AUG 10 2017

NEVADA STATE BOARD OF
MEDICAL EXAMINERS


By: 

AMENDED CERTIFICATE OF SERVICE

I hereby certify that I am employed by the Nevada State Board of Medical Examiners and that on the 24th day of July, 2017, I served a file-stamped copy of the FIRST AMENDED COMPLAINT and FINGERPRINT INFORMATION, via USPS e-certified return receipt mail to the following:

Edward J. Lemons, Esq.
LEMONS, GRUNDY & EISENBERG
6005 Plumas Street, Suite 300
Reno, NV 89501

DATED this 3rd day of August, 2017.

By: 
Dawn Gordillo
Legal Department, Records

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

CERTIFICATE OF SERVICE

I hereby certify that I am employed by the Nevada State of Board of Medical Examiners and that on the 3rd day of August, 2017, I served a file-stamped copy of the AMENDED CERTIFICATE OF SERVICE, via U.S. Mail, to the following:

Edward J. Lemons, Esq.
LEMONS, GRUNDY & EISENBERG
6005 Plumas Street, Suite 300
Reno, NV 89501

DATED this 3rd day of August, 2017.


KIMBERLY J. ROSLING