

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 **MANE SULAIMAN SHAH, M.D.,**
8 **Respondent.**

Case No. 18-33803-1

FILED

APR 17 2018

NEVADA STATE BOARD OF
MEDICAL EXAMINERS
By: 

9
10 **COMPLAINT**

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

- 17 1. Respondent is licensed in Nevada in active status (License No. 12786) and was
18 licensed by the Board on July 1, 2008.
- 19 2. On or about January 22, 2013, a Criminal Complaint was filed in North Las Vegas
20 Justice Court.
- 21 3. On or about January 24, 2013, Respondent was arrested for one count of sexual
22 assault and one count of open or gross lewdness with a female patient.
- 23 4. On or about April 29, 2013, an Amended Criminal Complaint was filed in North
24 Las Vegas Justice Court, this time alleging an elder enhancement on the count of sexual assault,
25 and it also included an additional count of open or gross lewdness.
- 26 5. On or about September 20, 2013, Respondent was indicted by a Grand Jury in the
27 Clark County District Court on the four following counts: Count (1) sexual assault, victim being

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

1 60 years of age, or older; Count (2) attempt sexual assault, victim being 60 years of age, or older;
2 Count (3) open or gross lewdness; and Count (4) open or gross lewdness.

3 6. On or about April 3, 2018, an Amended Indictment was filed alleging one count of
4 Battery with Substantial Bodily Harm, a Category C Felony, and Respondent entered into a Guilty
5 Plea Agreement.

6 7. On or about July 31, 2018, Respondent is set for Sentencing in the Eighth Judicial
7 District Court in Clark County, Nevada. Respondent faces a conviction for Battery with
8 Substantial Bodily Harm, a Category C Felony, which carries a potential sentence of 1 – 5 years in
9 Nevada State Prison and a potential fine of up to \$10,000.00, per NRS 193.130.

10 **Count I**

11 **NRS 630.301(5) (Engaging by a Practitioner in any Sexual Activity with a Patient Who is**
12 **Currently Being Treated by the Practitioner)**

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

15 9. NRS 630.301(5) provides that engaging by a practitioner in any sexual activity
16 with a patient who is currently being treated by the practitioner is grounds for initiating
17 disciplinary action.

18 10. On or about September 20, 2013, Respondent was indicted on the following four
19 counts: Count (1) sexual assault, victim being 60 years of age, or older; Count (2) attempt sexual
20 assault, victim being 60 years of age, or older; Count (3) open or gross lewdness; and Count (4)
21 open or gross lewdness. All involve engaging by a practitioner in a sexual activity with a patient
22 who is currently being treated by the practitioner.

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

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Count II

NRS 630.301(6) (Disruptive Behavior with Patients that Interferes with Patient Care or has an Adverse Impact on the Quality of Care Rendered to a Patient)

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

13. NRS 630.301(6) provides that disruptive behavior with patients that interferes with patient care or has an adverse impact on the quality of care rendered to a patient is grounds for initiating disciplinary action.

14. Battery with Substantial Bodily Harm committed against Respondent's elderly patient is disruptive behavior with patients that interferes with patient care and has an adverse impact on the quality of care rendered to a patient.

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

Count III

NRS 630.301(7) (Engaging in Conduct that Violates the Trust of a Patient and Exploits the Relationship between the Physician and the Patient for Financial or Other Personal Gain)

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

17. NRS 630.301(7) provides that engaging in conduct that violates the trust of a patient and exploits the relationship between the physician and the patient for financial or other personal gain is grounds for initiating disciplinary action.

18. Respondent engaged in conduct that violates the trust of a patient and exploited the relationship between Respondent and his elderly female patient for other personal gain.

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

Count IV

NRS 630.301(9) (Engaging in Conduct that Brings the Medical Profession into Disrepute)

20. All of the allegations contained in the above paragraphs are hereby incorporated by

1 reference as though fully set forth herein.

2 21. NRS 630.301(9) provides that engaging in conduct that brings the medical
3 profession into disrepute is grounds for initiating disciplinary action.

4 22. Respondent engaged in conduct that brings the medical profession into disrepute by
5 battering his elderly female patient, resulting in substantial bodily harm.

6 23. 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 that the Board:

9 1. Give Respondent notice of the charges set forth in this Complaint;

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

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

14 4. Determine the sanctions it will impose if it finds Respondent violated the Medical
15 Practice Act;

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

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

19 Dated this 17 day of APRIL, 2018.

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

22 By: 

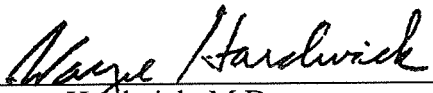
23 Robert Kilroy, Esq.
24 General Counsel
25 Donald K. White, Esq.
26 Deputy General Counsel
27 Attorneys for the Investigative Committee
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VERIFICATION

1 STATE OF NEVADA)
2 : ss.
3 COUNTY OF WASHOE)

4 Dr. Wayne Hardwick, hereby deposes and states under penalty of perjury under the laws of
5 the state of Nevada that he is the Chairman of the Investigative Committee of the Nevada State
6 Board of Medical Examiners that authorized the foregoing Complaint against the Respondent
7 herein; that he has read the foregoing Complaint; and based upon information discovered during
8 the course of the investigation into a complaint against Respondent, he believes the allegations
9 and charges in the foregoing Complaint against Respondent are true, accurate and correct.

10 Dated this 17th day of April, 2018.

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13 Wayne Hardwick, M.D.
14 Chairman, Investigative Committee
15 Nevada State Board of Medical Examiners