

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 **ANGELA LORENZO, PA,**
8 **Respondent.**

Case Nos. 17-28540-1

17-28540-2

FILED

SEP 14 2018

NEVADA STATE BOARD OF
MEDICAL EXAMINERS

By: 

9
10 **FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER**

11 The above-entitled matters came on regularly for decision before the Nevada State Board
12 of Medical Examiners (Board), on Friday, September 7, 2018, at the Board's offices located at
13 9600 Gateway Drive, Reno, Nevada, 89521, and by video conference at 6010 S Rainbow Blvd,
14 Building A, Suite A, Las Vegas, NV 89118, on the Complaints filed herein. Respondent, Angela
15 Lorenzo, PA, (Respondent), who was duly served with notice of the adjudication, was not present
16 and not represented by counsel. The adjudicating members of the Board participating in these
17 Findings of Fact, Conclusions of Law, and Order (Final Order) were: Dr. Rachakonda D. Prabhu,
18 Ms. Sandy Peltyn, Dr. Victor M. Muro, Ms. April Mastroluca, and Dr. Weldon Havins. Henna
19 Rasul, Esq., Senior Deputy Attorney General, served as legal counsel to the Board.

20 The Board, having received and read the Complaints and exhibits admitted in the matter
21 and filed into the record in these cases, the "Findings and Recommendations of the Administrative
22 Hearing Officer Based on the Contested Case Administrative Hearing Conducted to Hear the
23 Charges and Complaints and the Order of Summary Suspension in Case Numbers 17-28540-1 and
24 17-28540-2," dated August 10, 2018 (Findings and Recommendations), prepared by the Hearing
25 Officer, Patrick D. Dolan, Esq., who presided over the hearing, and the transcript of the hearing,
26 proceeded to make a decision pursuant to the provisions of Nevada Revised Statutes (NRS)
27 Chapter 630 and Nevada Administrative Code (NAC) Chapter 630 (collectively, the Medical
28 Practice Act), NRS Chapter 622A, and NRS Chapter 233B, as applicable.

1 The Board, after due consideration of the record, evidence and law, and being fully
2 advised in the premises, makes its FINDINGS OF FACT, CONCLUSIONS OF LAW, AND
3 ORDER in this matter, as follows:

4 **FINDINGS OF FACT**

5 **I.**

6 On September 28, 2017, the Investigative Committee filed its First Amended Complaint in
7 Case No. 17-28540-1 (Complaint One), alleging Respondent violated the Medical Practice Act.
8 Respondent was duly served with Complaint One and the Proofs of Service of Complaint One
9 were filed of record with the Board on October 24, 2017. Complaint One alleges as follows:

10 Count I, violation of NRS 630.301(9) (Disreputable Conduct); Count II, violation of
11 NRS 630.306(1)(b)(1) (Deceptive Conduct); Count III, violation of NRS 630.304(1)
12 (Misrepresentation in Renewing a License); Count IV, violation of NRS 630.301(4) (Malpractice);
13 Count V, violation of NRS 630.306(1)(b)(2) (Violation of Standards of Practice); Count VI,
14 violation of NRS 630.306(1)(p) (Engaging in Unsafe or Unprofessional Conduct); Count VII,
15 violation of NRS 630.3062(1)¹ (Failure to Keep Timely, Legible, Accurate, and Complete
16 Medical Records); Count VIII, violation of NRS 630.301(4) (Malpractice); Count IX, violation of
17 NRS 630.306(1)(b)(2) (Violation of Standards of Practice); Count X, violation of
18 NRS 630.306(1)(p) (Engaging in Unsafe or Unprofessional Conduct); Count XI, violation of
19 NRS 630.3062(1) (Failure to Keep Timely, Legible, Accurate, and Complete Medical Records);
20 Count XII, violation of NRS 630.306(1)(e) (Practicing Beyond the Scope of a Licensee's Training
21 or Competence); Count XIII, violation of NRS 630.301(4) (Malpractice); Count XIV, violation of
22 NRS 630.306(1)(b)(2) (Violation of Standards of Practice); Count XV, violation of
23 NRS 630.306(1)(p) (Engaging in Unsafe or Unprofessional Conduct); Count XVI, violation of
24 NRS 630.3062(1) (Failure to Keep Timely, Legible, Accurate, and Complete Medical Records).

25 On January 5, 2018, Respondent filed a general denial of all of the allegations set forth in
26 Complaint One.

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¹ As previously codified at the time of filing the complaints at issue. This provision is now codified at NRS 630.3062(1)(a).

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II.

On November 30, 2017, the Investigative Committee filed its First Amended Complaint in Case No. 17-28540-2 (Complaint Two), alleging Respondent violated the Medical Practice Act. Respondent was duly served with Complaint Two through her then attorney of record, Lyn E. Beggs, Esq., and the Acceptance of Service by Ms. Beggs of Complaint Two in Case No. 17-28540-2 was subsequently filed herein on December 4, 2017. Complaint Two alleges as follows: Count I, violation of NRS 630.306(1)(b)(1) (Deceptive Conduct); Count II, violation of NRS 630.306(1)(b)(2) (Violation of Standards of Practice); Count III, violation of NRS 630.306(1)(b)(2) (Violation of Standards of Practice); Count IV, violation of NRS 630.306(1)(b)(2) (Violation of Standards of Practice); Count V, violation of NRS 630.306(1)(b)(2) (Violation of Standards of Practice); Count VI, violation of NRS 630.306(1)(b)(2) (Violation of Standards of Practice); Count VII, violation of NRS 630.306(1)(b)(2) (Violation of Standards of Practice); Count VIII, violation of NRS 630.3065(2)(a) (Knowing and Willful Failure to Comply With Board Order); Count IX, violation of NRS 630.3065(2)(a) (Knowing and Willful Failure to Comply With Board Order); Count X, violation of NRS 630.3065(2)(a) (Knowing and Willful Failure to Comply With Board Order). On December 21, 2017, the Respondent entered her general denial of all of the allegations set forth in Complaint Two in Case Number 17-28540-2.

III.

Complaint One and Complaint Two were consolidated for hearing with an Order filed herein on March 20, 2018, scheduling the Early Case Conference for all of these pending matters for April 3, 2018. This Order contained an attached Certificate of Service verifying that a copy of the Order was sent to the Respondent at the mailing address provided by the Respondent to the Board as a requirement for her licensure and confirmed by her then legal counsel in directing the Board to use the Respondent's address on file with the Board as the appropriate address to use in communicating with the Respondent. The Early Case Conference was held on April 3, 2018. As a result of the Early Case Conference, the Pre-Hearing Conference was scheduled for June 5, 2018, with the formal Hearing calendared to commence on July 10, 2018. The Order Setting Pre-

1 Hearing Conference and Hearing was mailed to the Respondent at her mailing address registered
2 by the Respondent with the Board. Pursuant to the further direction of the Hearing Officer, the
3 Order Setting Pre-Hearing Conference and Hearing was also published in the Las Vegas Review-
4 Journal pursuant to NRS 633.344(3). The Proof of Service of this Order on the Respondent by
5 Publication was filed in these proceedings on May 18, 2018. At the time fixed for the Pre-Hearing
6 Conference, legal counsel for the Investigative Committee, Aaron Bart Fricke, Esq., Deputy
7 General Counsel, appeared. Neither the Respondent, nor any representative of the Respondent,
8 contacted the Board or the Investigative Committee concerning this proceeding or appeared at the
9 time fixed for the Pre-Hearing Conference. Neither the Respondent, nor any representative of the
10 Respondent, belatedly appeared at the time fixed, nor at any subsequent time did any such
11 individual make contact with the Board, the Investigative Committee or the Hearing Officer to
12 discuss the scheduling of the Hearing. At the Pre-Hearing Conference, counsel for the
13 Investigative Committee provided the Hearing Officer with the mandated Pre-Hearing Conference
14 Disclosures.

15 **IV.**

16 On July 10, 2018, a contested case hearing was held before the Hearing Officer to receive
17 evidence, and to hear arguments. On July 18, 2018, the Hearing Officer received the complete
18 Record of Proceedings, including the transcript of the testimony received, the exhibits admitted,
19 and the evidence taken into consideration by virtue of judicial notice being taken of that evidence
20 during the course of the administrative hearing in this matter. Upon receipt of the Record of
21 Proceedings, the hearing was closed. The Hearing Officer filed the Findings and
22 Recommendations on August 10, 2018. The matters were scheduled for final adjudication on
23 Friday, September 7, 2018, and notice of the adjudication and the Findings and Recommendations
24 were personally served on Respondent on August 24, 2018, with the Affidavit of Service filed on
25 August 24, 2018.

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V.

Pursuant to NRS 622A.300(5)(a), the Findings and Recommendations of the Hearing Officer are hereby approved by the Board in their entirety, without modification, and are hereby specifically incorporated and made part of this Order by reference.

VI.

In accord with the Findings and Recommendations, the Board hereby finds that each count set forth in Complaint One in Case No. 17-28540-1, and as recapitulated in Paragraph I above, has been established by a preponderance of the substantial, reliable and probative evidence.

VII.

In accord with the Findings and Recommendations, the Board hereby finds that each count set forth in Complaint Two in Case No. 17-28540-2, and as recapitulated in Paragraph II above, has been established by a preponderance of the substantial, reliable and probative evidence.

XXIII.

If any of the foregoing Findings of Fact is more properly deemed a Conclusion of Law, it may be so construed.

CONCLUSIONS OF LAW

I.

The Board has jurisdiction over Respondent and the Complaints, and an adjudication of these matters by the Board members as set forth herein is proper.

II.

Respondent was timely and properly served with the Complaints, and all notices and orders in advance of the Hearing and adjudication thereon, in accord with NRS and NAC Chapters 630, NRS Chapters 241, 622A and 233B, and the requirements of due process.

III.

With respect to the allegations of Complaint One, the Board concludes that Respondent has violated NRS 630.301(9) (Disreputable Conduct), as alleged in Count I, has violated NRS 630.306(1)(b)(1) (Deceptive Conduct), as alleged in Count II, has violated NRS 630.304(1) (Misrepresentation in Renewing a License), as alleged in Count III, has violated NRS 630.301(4)

1 (Malpractice), as alleged in Count IV, has violated NRS 630.306(1)(b)(2) (Violation of Standards
2 of Practice), as alleged in Count V, has violated NRS 630.306(1)(p) (Engaging in Unsafe or
3 Unprofessional Conduct), as alleged in Count VI, has violated NRS 630.3062(1) (Failure to Keep
4 Timely, Legible, Accurate, and Complete Medical Records), as alleged in Count VII, has violated
5 NRS 630.301(4) (Malpractice), as alleged in Count VIII, has violated NRS 630.306(1)(b)(2)
6 (Violation of Standards of Practice), as alleged in Count IX, has violated NRS 630.306(1)(p)
7 (Engaging in Unsafe or Unprofessional Conduct), as alleged in Count X, has violated
8 NRS 630.3062(1) (Failure to Keep Timely, Legible, Accurate, and Complete Medical Records), as
9 alleged in Count XI, has violated NRS 630.306(1)(e) (Practicing Beyond the Scope of a
10 Licensee's Training or Competence), as alleged in Count XII, has violated NRS 630.301(4)
11 (Malpractice), as alleged in Count XIII, has violated NRS 630.306(1)(b)(2) (Violation of
12 Standards of Practice), as alleged in Count XIV, has violated NRS 630.306(1)(p) (Engaging in
13 Unsafe or Unprofessional Conduct), as alleged in Count XV, and has violated NRS 630.3062(1)
14 (Failure to Keep Timely, Legible, Accurate, and Complete Medical Records), as alleged in Count
15 XVI. Accordingly, Respondent is subject to discipline pursuant to NRS 630.352.

16 **IV.**

17 With respect to the allegations of Complaint Two, the Board concludes that Respondent
18 has violated NRS 630.306(1)(b)(1) (Deceptive Conduct), as alleged in Count I, has violated
19 NRS 630.306(1)(b)(2) (Violation of Standards of Practice), as alleged in Count II, has violated
20 NRS 630.306(1)(b)(2) (Violation of Standards of Practice), as alleged in Count III, has violated
21 NRS 630.306(1)(b)(2) (Violation of Standards of Practice), as alleged in Count IV, has violated
22 NRS 630.306(1)(b)(2) (Violation of Standards of Practice), as alleged in Count V, has violated
23 NRS 630.306(1)(b)(2) (Violation of Standards of Practice), as alleged in Count VI, has violated
24 NRS 630.306(1)(b)(2) (Violation of Standards of Practice), as alleged in Count VII, has violated
25 NRS 630.3065(2)(a) (Knowing and Willful Failure to Comply With Board Order), as alleged in
26 Count VIII, has violated NRS 630.3065(2)(a) (Knowing and Willful Failure to Comply With
27 Board Order), as alleged in Count IX, and has violated NRS 630.3065(2)(a) (Knowing and Willful
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1 Failure to Comply With Board Order), as alleged in Count X. Accordingly, Respondent is subject
2 to discipline pursuant to NRS 630.352.

3 **V.**

4 The Board finds that, pursuant to NRS 622.400, it may recover from Respondent
5 reasonable attorneys' fees and costs incurred by the Board as part of its investigative,
6 administrative and disciplinary proceedings against Respondent as it hereby enters this Final
7 Order finding that Respondent has violated the Medical Practice Act, which the Board has the
8 authority to enforce.

9 **VI.**

10 The Board has reviewed the Investigative Committee's Memorandum of Costs and
11 Disbursements and Attorneys' Fees, and the Board finds them to be the actual fees and costs
12 incurred by the Board as part of its investigative, administrative and disciplinary proceedings
13 against Respondent, and finds them to be reasonable based on: (1) the abilities, training,
14 education, experience, professional standing and skill demonstrated by Board staff and attorneys;
15 (2) the character of the work done, its difficulty, its intricacy, its importance, the time and skill
16 required, the responsibility imposed and the prominence and character of the parties where, as in
17 this case, they affected the importance of the litigation; (3) the work actually performed by the
18 Board's attorneys and staff, and the skill, time and attention given to that work, and; (4) the
19 product of the work and benefits to the Board and the people of Nevada that were derived
20 therefrom.

21 **VII.**

22 If any of the foregoing Conclusions of Law is more properly deemed a Finding of Fact, it
23 may be so construed.

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ORDER

Based upon the foregoing Findings of Fact and Conclusions of Law, and good cause appearing therefore,

IT IS HEREBY ORDERED that:

1. Pursuant to NRS 630.352(4)(e), Respondent's license to practice medicine, License No. PA816, is immediately revoked;

2. Pursuant to NRS 630.352(4)(h), Respondent shall pay fines as follows:

- a. For three violations of NRS 630.301(4) (Malpractice), a fine of \$5,000 each, for a total of \$15,000;
- b. For three violations of NRS 630.306(1)(p) (Engaging in Unsafe or Unprofessional Conduct), a fine of \$5,000 each, for a total of \$15,000;
- c. For two violations of NRS 630.306(1)(b)(1) (Deceptive Conduct), a fine of \$5,000 each, for a total of \$10,000;
- d. For three violations of NRS 630.3065(2)(a) (Knowing and Willful Failure to Comply With Board Order), a fine of \$5,000 each, for a total of \$15,000;
- e. For one violation of NRS 630.306(1)(e) (Practicing Beyond the Scope of a Licensee's Training or Competence), a fine of \$5,000;
- f. For one violation of NRS 630.301(9) (Disreputable Conduct), a fine of \$1,000;
- g. For one violation of NRS 630.304(1) (Misrepresentation in Renewing a License), a fine of \$1,000;
- h. For nine violations of NRS 630.306(1)(b)(2) (Violation of Standards of Practice), a fine of \$1,000 each, for a total of \$9,000;
- i. For three violations of NRS 630.3062(1) (Failure to Keep Timely, Legible, Accurate, and Complete Medical Records), a fine of \$1,000 each, for a total of \$3,000;

Respondent shall pay these fines, which total \$74,000, within one hundred twenty (120) days of this Order.

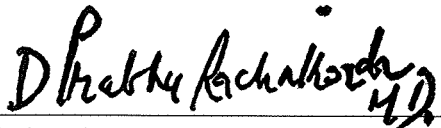
3. Respondent shall receive a Public Letter of Reprimand;

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4. This disciplinary action shall be reported to the appropriate entities and parties as required by law, including, but not limited to, the National Practitioner Data Bank;
5. Respondent shall reimburse the Board the reasonable costs and expenses actually incurred in the investigation and prosecution of these cases in the amount of \$22,274.18, which amount Respondent shall pay within sixty (60) days of this Order;
6. The Board revocably delegates and authorizes the General Counsel and staff of the Board to defend this Final Order and the Board's actions in the above entitled matters in any civil or criminal proceeding, state or federal, that implicates the Board's adjudication of these cases, to participate in, defend against, or to initiate on its behalf any petition for judicial review or appeal therefrom, to file a notice of appeal or statement of intent to participate therein on its behalf, to negotiate and settle claims on its behalf, and to take comparable actions and make comparable decisions on its behalf.

Dated this 14th day of September, 2018.

NEVADA STATE BOARD OF MEDICAL EXAMINERS



Rachakonda D. Prabhu, M.D., President
Nevada State Board of Medical Examiners

OFFICE OF THE GENERAL COUNSEL
Nevada State Board of Medical Examiners
9600 Gateway Drive
Reno, Nevada 89521
(775) 688-2559

CERTIFICATION

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I certify that the foregoing is the full and true original FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER on file in the office of the Board of Medical Examiners in the matter of ANGELA LORENZO, PA, Case Nos. 17-28540-1 and 17-28540-2.

I further certify that Rachakonda D. Prabhu, M.D., is the President of the Nevada State Board of Medical Examiners and that full force and credit is due to his official acts as such; and that the signature to the foregoing ORDER is the signature of said Rachakonda D. Prabhu, M.D.

IN WITNESS THEREOF, I have hereunto set my hand in my official capacity as Secretary-Treasurer of the Nevada State Board of Medical Examiners.

Dated this 14th day of September, 2018.

M. NEIL DUXBURY
M. Neil Duxbury, Secretary-Treasurer
Nevada State Board of Medical Examiners