1	BEFORE THE BOARD OF	MEDICAL EXAMINERS	
2	OF THE STATE OF NEVADA		
3	* * * *		
4	In the Matter of Charges and	Case No. 19-34006-1	
5	Complaint Against	FILED	
6	JAIRO ALEJANDRO RODRIGUEZ, PA-C,	AUG 2 0 2019	
7	Respondent.	NEVADA STATE BOARD OF MEDIOAL EXAMINERS	
8		By:	
9	COMPLAINT		
10	The Investigative Committee ¹ (IC) of the Nevada State Board of Medical Examiners		
11	(Board), by and through Aaron Bart Fricke, Esq., Deputy General Counsel and attorney for the IC,		
12	having a reasonable basis to believe that Jairo Alejandro Rodriquez, PA-C. (Respondent) violated		
13	the provisions of Nevada Revised Statutes (NRS) Chapter 630 and Nevada Administrative Code		
14	(NAC) Chapter 630 (collectively, the Medical Practice Act), hereby issues its Complaint, stating the		
15	IC's charges and allegations as follows:		
16	1. Respondent is and was at all time	s relevant to this Complaint a physician assistant	
17	holding an active license to practice medicine in the State of Nevada (License No. PA1120). He		
18	was originally licensed by the Board on June 25, 2008.		
19	A. Respondent's Treatment of Patient A		
20	2. Patient A's true identity is not dis	sclosed herein to protect his or her privacy, but is	
21	disclosed in the Patient Designation served upon Respondent along with a copy of this Complaint.		
22	<u>COUNT I</u>		
23	NRS 630.306(1)(b)(2) (Violation of Standards of Practice)		
24	3. All of the allegations in the above paragraphs are hereby incorporated by reference		
25	as though fully set forth herein.		
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II

¹ The Investigative Committee (IC) of the Nevada State Board of Medical Examiners (Board), at the time this formal 28 composed of Rachakonda Prabhu, M.D., Chairman, Complaint was authorized for filing, was Victor M. Muro, M.D., and Ms. April Mastroluca.

Respondent treated Patient A for chronic pain with opioid analgesics, along with 4. benzodiazapines and other controlled substances, from July 2010 through May 2013.

Patient A died on June 6, 2013, of acute, combined drug intoxication of the 5. controlled substances that Respondent prescribed, and the manner of Patient A's death was accidental.

A physician assistant is subject to discipline for violating of NRS 630.301 through 6. 630.3065 inclusive, pursuant to NAC 630.380(1)(m).

Violation of a standard of practice adopted by the Board is grounds for disciplinary 7. action pursuant to NRS 630.306(1)(b)(2).

The Board adopted by reference the Model Policy on the Use of Opioid Analgesics 8. in the Treatment of Chronic Pain, July 2013, published by the Federation of State Medical Boards of the United States, Inc. (Model Policy).

Pursuant to NAC 630.230(1)(k), a licensee shall not engage in the practice of 9. writing prescriptions for controlled substances to treat chronic pain in a manner that deviates from the policies set forth in the Model Policy on the Use of Opioid Analgesics in the Treatment of Chronic Pain adopted by reference in NAC 630.187.

On information and belief, Respondent wrote prescriptions to Patient A for opioid 10. 17 analgesics to treat chronic pain in a manner that deviated from the Model Policy. 18

By reason of the foregoing, Respondent is subject to discipline by the Board as 19 11. provided in NRS 630.352. 20

COUNT II

NRS 630.3062(1)(a) (Failure to Maintain Proper Medical Records)

All of the allegations contained in the above paragraphs are hereby incorporated by 12. reference as though fully set forth herein. 24

NRS 630.3062(1)(a) provides that the failure to maintain timely, legible, accurate 25 13. and complete medical records relating to the diagnosis, treatment and care of a patient is grounds 26 for initiating discipline against a licensee. 27

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Respondent failed to maintain complete medical records relating to the diagnosis, 14. treatment and care of Patient A, by failing to document his actions in complying with the Model 2 Policy, including, but not limited to, failing to document the following: physical examinations 3 before prescribing opioid analgesics; queries of the PMP before prescribing opioid analgesics; 4 urinalysis before and after prescribing opioid analgesics; support for his diagnoses with physical 5 examination findings; treatment objectives to evaluate treatment progress; monitoring and 6 adapting his treatment plan; progress toward discontinuation of opioid therapy. 7

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

him notice that he may file an answer to the Complaint herein as set forth in NRS 630.339(2)

That the Board give Respondent notice of the charges herein against him and give

WHEREFORE, the Investigative Committee prays:

OFFICE OF THE GENERAL COUNSEL Nevada State Board of Medical Examiner 9600 Gateway Drive Reno, Nevada 89521 (775) 688-2559 1

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within twenty (20) days of service of the Complaint; 13 2. That the Board set a time and place for a formal hearing after holding an Early 14 Case Conference pursuant to NRS 630.339(3); 15 That the Board determine what sanctions to impose if it determines there has been 3. 16 a violation or violations of the Medical Practice Act committed by Respondent; 17 That the Board make, issue and serve on Respondent its findings of fact, 4. 18 conclusions of law and order, in writing, that includes the sanctions imposed; and 19 That the Board take such other and further action as may be just and proper in these 5. 20 premises. 21 DATED this 20 day of August, 2019. 22 23 INVESTIGATIVE COMMITTEE OF THE NEVADA STATE BOARD OF MEDICAL EXAMINERS 24 25 By: Aaron Bart Frieke, Esq., Deputy General Counsel 26 Attorney for the Investigative Committee 27

VERIFICATION

STATE OF NEVADA COUNTY OF CLARK

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Rachakonda D. Prabhu, 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 20th day of August, 2019.

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: SS.

INVESTIGATIVE COMMITTEE OF THE NEVADA STATE BOARD OF MEDICAL EXAMINERS

D brathy Jachakozah

Rachakonda D. Prabhu, M.D., Chairman

OFFICE OF THE GENERAL COUNSEL Nevada State Board of Medical Examiners 9600 Gateway Drive Reno, Nevada 89521 (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	CERTIFICATE OF MAILING Increby certify that I am employed by Nevada State Board of Medical Examiners and that on 21st day of August, 2019; I served a filed copy of the COMPLAINT (19-34006-1), via USPS ecertified return receipt mail to the following: Law Offices of Lyn E. Beggs, PLLC Lyn E. Beggs, PLLC Lyn E. Beggs, State Stat	