BEFORE THE BOARD OF MEDICAL EXAMINERS OF THE STATE OF NEVADA

* * * * *

In the Matter of Charges and Complaint Against

CLINTON ANDERSON, PA-C,

Respondent.

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Case No. 20-36612-1

FILED

MAR 1 6 2020

NEVADA STATE BOARD OF MEDICAL EXAMINERS

COMPLAINT

The Investigative Committee (IC)¹ of the Nevada State Board of Medical Examiners (Board), by and through Aaron Bart Fricke, Esq., Senior Deputy General Counsel and attorney for the IC, having a reasonable basis to believe that Clinton Anderson, PA-C (Respondent), violated the provisions of Nevada Revised Statutes (NRS) Chapter 630 and Nevada Administrative Code (NAC) Chapter 630 (collectively, the Medical Practice Act), hereby issues its Complaint, stating the IC's charges and allegations as follows:

- 1. Respondent was at all times relevant to this Complaint a licensed physician assistant holding an active license to practice medicine in the State of Nevada (License No. PA1203). Respondent was licensed by the Board on February 16, 2010.
- 2. Patient A was a 73-year-old male at the time of the incidents in question. His name is not disclosed in this Complaint to protect his identity, but his identity is disclosed in the Patient Designation contemporaneously served on Respondent with a copy of this Complaint.
- 3. Respondent was at all times relevant to this Complaint professionally supervised by Dhaval Jasvanthai Shah, M.D. (Dr. Shah). At all times relevant to this Complaint, Dr. Shah practiced in the areas of infectious diseases and internal medicine, in Las Vegas, Nevada.

¹The Investigative Committee of the Nevada State Board of Medical Examiners, at the time this formal Complaint was authorized for filing, was composed of Board members Mr. M. Neil Duxbury, Chairman, Aury Nagy, M.D., and Michael C. Edwards, M.D., FACS.

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4. Patient A was admitted to Mountain View Hospital in Las Vegas, Nevada, and was undergoing treatment for Methicillin-resistant Staphylococcus Aureus (MRSA) infection and endocarditis, among other conditions, when Respondent, supervised by Dr. Shah, began treating Patient A's MRSA infection on January 29, 2020, until Patient A's death on February 6, 2020.

COUNT I

NAC 630.380(1)(f) (Malpractice)

- 5. All of the allegations contained in the above paragraphs are hereby incorporated by reference as though fully set forth herein.
- 6. NAC 630.380(1)(f) provides that malpractice in the performance of medical services is grounds for initiating disciplinary action against a physician assistant.
- 7. Additionally, NAC 630.380(1)(m) provides that violation of a provision of NRS 630.301 to 630.3065, inclusive, is grounds for initiating disciplinary action against a physician assistant.
- 8. NRS 630.301(4) provides that malpractice is grounds for disciplinary action against a licensee.
- 9. NAC 630.040 defines malpractice, for the purposes of NRS Chapter 630, as the failure of a physician, in treating a patient, to use the reasonable care, skill, or knowledge ordinarily used under similar circumstances.
- 10. Respondent failed to use the reasonable care, skill and knowledge ordinarily used under similar circumstances, including but not limited to the conduct described herein, when he failed to ensure that appropriate antibiotics were ordered for and being administered to Patient A, while Patient A was under his care from January 29, 2020, until February 6, 2020.
- 11. By reason of the foregoing, Respondent is subject to discipline by the Board as provided in NRS 630.352.

COUNT II

NRS 630.3062(1)(a) (Failure to Maintain Accurate and Complete Medical Records)

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

- 13. NAC 630.380(1)(m) provides that violation of a provision of NRS 630.301 to 630.3065, inclusive, is grounds for initiating disciplinary action against a physician assistant.
- 14. NRS 630.3062(1)(a) provides that the failure to maintain timely, legible, accurate and complete medical records relating to the diagnosis, treatment and care of a patient is grounds for initiating discipline against a licensee.
- 15. Respondent failed to maintain accurate and complete medical records regarding his treatment of Patient A from January 29, 2020, until February 6, 2020.
- 16. By reason of the foregoing, Respondent is subject to discipline by the Board as provided in NRS 630.352.

WHEREFORE, the IC 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 what sanctions to impose if it finds and concludes that there has been a violation or violations of the Medical Practice Act committed by Respondent;
- 4. That the Board make, issue and serve on Respondent its findings of fact, conclusions of law and order, in writing, to include sanctions to be imposed; and
- 5. That the Board take such other and further action as may be just and proper in these premises.

DATED this 16 day of March, 2020.

INVESTIGATIVE COMMITTEE OF THE NEVADA STATE BOARD OF MEDICAL EXAMINERS

By:

Aaron Bart Fricke, Esq., Senior Deputy General Counsel Attorney for the Investigative Committee

OFFICE OF THE GENERAL COUNSEL Nevada State Board of Medical Examiners 9600 Gateway Drive Reno Nevada 89531

VERIFICATION

STATE OF NEVADA)
	: ss.
COUNTY OF WASHOE)

Mr. M. Neil Duxbury, 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 <u>ib</u>th day of March, 2020.

INVESTIGATIVE COMMITTEE OF THE NEVADA STATE BOARD OF MEDICAL EXAMINERS

M. Neil Duxbury, Chairman