9600 Gateway Drive Reno, Nevada 89521

BEFORE THE BOARD OF MEDICAL EXAMINERS OF THE STATE OF NEVADA

* * * * *

In the Matter of Charges and Complaint

Against

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VICTORIA K. WALL, M.D.,

Respondent.

Case No. 20-18832-1

FILED

SEP - 8 2020

NEVADA STATE BOARD OF MEDICAL EXAMINERS

COMPLAINT

The Investigative Committee¹ (IC) of the Nevada State Board of Medical Examiners (Medical Board), by and through Donald K. White, Esq., Deputy General Counsel and attorney for the IC, having a reasonable basis to believe that Victoria K. Wall, M.D. (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 relative to this Complaint a medical doctor holding an inactive license to practice medicine in the State of Nevada (License No. 12154).
 - 2. Respondent was initially licensed by the Medical Board on January 5, 2007.
- 3. Respondent voluntarily put her license in inactive status in or about May 2009 and has remained inactive to present, and pursuant to NRS 630.255, the licensee must meet conditions before resuming the practice of medicine in this State, to which Respondent did not comply.
- Pursuant to NRS 630.020, prescribing controlled substances is the practice of 4. medicine.
- 5. Pursuant to NRS 639.235(1), no person other than a practitioner holding a license to practice his or her profession in this State may prescribe or write a prescription.

¹ The 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 M. Neil Duxbury, Chairman, Aury Nagy, M.D., and Michael C. Edwards, M.D., FACS.

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6.	On June 5	, 2020, the	Nevada Stat	e Board o	of Pharmacy	(Pharmacy	Board)	served
Respondent w	ith an order t	o cease and	desist prescri	bing contro	olled substanc	es to Nevad	da patien	ıts.

7. On or about June 14, 2020, Respondent surrendered her DEA Certificate of Registration (CS15026) which had allowed her to order, possess, dispense, administer, prescribe, or engage in any other activities with controlled substances or list I chemicals.

Count I

NRS 630.306(1)(b)(3) (Violation of a Regulation Adopted by the State Board of Pharmacy)

- 8. All of the allegations in the above paragraphs are hereby incorporated by reference as though fully set forth herein.
- 9. NRS 630(1)(b)(3) provides that engaging in any conduct which is a violation of a regulation adopted by the State Board of Pharmacy constitutes grounds for disciplinary action.
- 10. NAC 639.945(h) provides that it is unprofessional conduct and conduct contrary to the public interest to perform or in any way be a party to any fraudulent or deceitful practice or transaction.
- 11. Upon information and belief, Respondent renewed her license to prescribe controlled substances each renewal period since 2009, and represented to the Pharmacy Board that she had an active license issued by the Medical Board.
- 12. By reason of the foregoing, Respondent is subject to discipline by the Nevada State Board of Medical Examiners as provided in NRS 630.352.

Count II

NRS 630.304(1) (Misrepresentation in Obtaining or Renewing License)

- 13. All of the allegations in the above paragraphs are hereby incorporated by reference as though fully set forth herein.
- 14. NRS 630.304(1) provides that obtaining, maintaining or renewing or attempting to obtain, maintain or renew a license to practice medicine by bribery, fraud or misrepresentation or by any false, misleading, inaccurate or incomplete statement constitutes grounds for initiating disciplinary action.

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	15.	Respondent has maintained an inactive license since in or about May 2009 to present
and atte	sted th	at she would not physically practice medicine in the State of Nevada on her renewa
applicat	ion.	

- 16. Respondent did practice medicine in the State of Nevada when she prescribed controlled substances to Patients A, B, C, and D, while attesting on her renewal application to the Medical Board that she would not practice medicine in the State of Nevada.
- 17. By reason of the foregoing, Respondent is subject to discipline by the Nevada State Board of Medical Examiners as provided in NRS 630.352.

Count III - Patient A

NRS 630.306(1)(c) (Unlawful Prescribing of a Controlled Substance or Dangerous Drug)

- 18. All of the allegations contained in the above paragraphs are hereby incorporated by reference as though fully set forth herein.
- 19. Patient A's true identity is not disclosed herein to protect his or her privacy but is disclosed in the Patient Designation served upon Respondent along with a copy of this Complaint.
- 20. NRS 630.306(1)(c) provides that administering, dispensing or prescribing any controlled substance, or any dangerous drug as defined in chapter 454 of NRS, to or for himself or herself or to others except as authorized by law constitutes grounds for initiating disciplinary action.
- Respondent prescribed Patient A controlled substances multiple times between in or 21. about January 2012 and in or about March 2020.
- 22. Respondent did not have an active license to practice medicine, prescribing controlled substances is the practice of medicine, and therefore, these prescriptions were not authorized by law.
- 23. By reason of the foregoing, Respondent is subject to discipline by the Nevada State Board of Medical Examiners as provided in NRS 630.352.

Count IV - Patient B

NRS 630.306(1)(c) (Unlawful Prescribing of a Controlled Substance or Dangerous Drug)

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

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25.	Patient	B's true	identity	is not	disclosed	herein t	to protect	his or	her	privacy	but	i
disclosed in the	Patient	Designat	ion serve	ed upor	n Responde	ent along	with a co	pv of	this C	Complair	ıt.	

- 26. NRS 630.306(1)(c) provides that administering, dispensing or prescribing any controlled substance, or any dangerous drug as defined in chapter 454 of NRS, to or for himself or herself or to others except as authorized by law constitutes grounds for initiating disciplinary action.
- 27. Respondent prescribed Patient B controlled substances multiple times between in or about February 2014 and in or about December 2017.
- 28. Respondent did not have an active license to practice medicine, prescribing controlled substances is the practice of medicine, and therefore, these prescriptions were not authorized by law.
- 29. By reason of the foregoing, Respondent is subject to discipline by the Nevada State Board of Medical Examiners as provided in NRS 630.352.

Count V - Patient C

NRS 630.306(1)(c) (Unlawful Prescribing of a Controlled Substance or Dangerous Drug)

- 30. All of the allegations contained in the above paragraphs are hereby incorporated by reference as though fully set forth herein.
- 31. Patient C's true identity is not disclosed herein to protect his or her privacy but is disclosed in the Patient Designation served upon Respondent along with a copy of this Complaint.
- 32. NRS 630.306(1)(c) provides that administering, dispensing or prescribing any controlled substance, or any dangerous drug as defined in chapter 454 of NRS, to or for himself or herself or to others except as authorized by law constitutes grounds for initiating disciplinary action.
- 33. Respondent prescribed Patient C controlled substances multiple times between in or about September 2012 and in or about February 2014.
- 34. Respondent did not have an active license to practice medicine, prescribing controlled substances is the practice of medicine, and therefore, these prescriptions were not authorized by law.
- 35. By reason of the foregoing, Respondent is subject to discipline by the Nevada State Board of Medical Examiners as provided in NRS 630.352.

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Count VI – Patient D

NRS 630.306(1)(c) (Unlawful Prescribing of a Controlled Substance or Dangerous Drug)

- 36. All of the allegations contained in the above paragraphs are hereby incorporated by reference as though fully set forth herein.
- 37. Patient D's true identity is not disclosed herein to protect his or her privacy but is disclosed in the Patient Designation served upon Respondent along with a copy of this Complaint.
- 38. NRS 630.306(1)(c) provides that administering, dispensing or prescribing any controlled substance, or any dangerous drug as defined in chapter 454 of NRS, to or for himself or herself or to others except as authorized by law constitutes grounds for initiating disciplinary action.
 - 39. Respondent prescribed Patient D a controlled substance in or about December 2012.
- 40. Respondent did not have an active license to practice medicine, prescribing controlled substances is the practice of medicine, and therefore, these prescriptions were not authorized by law.
- 41. By reason of the foregoing, Respondent is subject to discipline by the Nevada State Board of Medical Examiners 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 what sanctions to impose if it determines 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, that includes the sanctions imposed; and

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OFFICE OF THE GENERAL COUNSEL Nevada State Board of Medical Examiners

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

DATED this day of September, 2020.

INVESTIGATIVE COMMITTEE OF THE NEVADA STATE BOARD OF MEDICAL EXAMINERS

By:

Donald K. White, Esq., Deputy General Counsel Attorney for the Investigative Committee

OFFICE OF THE GENERAL COUNSEL Nevada State Board of Medical Examiners

RIFICATION

	VERIFICATION
STATE OF NEVADA)
COUNTY OF WASHOE	: ss.)
Mr. M. Neil Duxbury	, having been duly sworn, hereby deposes and states under penalty of
perjury that he is the Chair	man of the Investigative Committee of the Nevada State Board of
Medical Examiners that auth	orized the Complaint against the Respondent herein; that he has read
he foregoing Complaint; a	and that based upon information discovered in the course of the
nvestigation into a complair	nt against Respondent, he believes that the allegations and charges in
he foregoing Complaint again	inst Respondent are true, accurate and correct.
DATED this 8th da	y of September, 2020.
	INVESTIGATIVE COMMITTEE OF THE NEVADA STATE BOARD OF MEDICAL EXAMINERS By: M. Neil Duxbury, Chairman
	M. Neil Duxbury, Chairman