Reno, Nevada 89521 (775) 688-2559

BEFORE THE BOARD OF MEDICAL EXAMINERS OF THE STATE OF NEVADA

* * * * *

In the Matter of Charges and

Complaint Against

GARY MANLEY, PA-C,

Respondent.

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Case No. 20-36618-1

FILED

AUG 1 1 2020

NEVADA STATE BOARD OF

FIRST AMENDED COMPLAINT

The Investigative Committee (IC) of the Nevada State Board of Medical Examiners (Board) hereby issues this formal Complaint (Complaint) against Gary Manley, PA-C (Respondent), a licensed physician assistant in Nevada. After investigating this matter, the IC1 has a reasonable basis to believe that Respondent has violated provisions of Nevada Revised Statutes (NRS) Chapter 630 and Nevada Administrative Code (NAC) Chapter 630 (collectively, the Medical Practice Act). The IC alleges the following facts:

- 1. Respondent was licensed by the Board, pursuant to the provisions of the Medical Practice Act, on March 1, 2010, and is currently licensed in Active status (License No. PA1209).
- 2. On October 12, 2016, the Nevada State Board of Osteopathic Medicine (Osteopathic Board) entered into a Settlement Agreement and Order with Respondent.
- 3. Respondent was supervised by an Osteopathic Board physician whose scope of practice was family medicine.
- Respondent did not report the aforementioned Osteopathic Board Settlement 4. Agreement and Order to this Board within 30 days following its issuance to the Respondent.

¹ The Investigative Committee (IC) of the Nevada State Board of Medical Examiners (Board), at the time this formal Complaint was authorized for filing, was composed of Board members Wayne Hardwick, M.D. Chairman, Theodore Berndt, M.D., and Mr. M. Neil Duxbury.

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Count I

NRS 630.301(3) (Disciplinary Action by Another State Medical Board)

- 5. All of the allegations in the above paragraphs are hereby incorporated as if fully set forth herein.
- 6. Pursuant to NRS 630.301(3), any disciplinary action, including, without limitation, the revocation, suspension, modification or limitation of a license to practice any type of medicine, taken by another state, among other entities, is grounds for disciplinary action against a licensee.
- 7. The Osteopathic Board's Order of October 12, 2016, constitutes disciplinary action by another state entity.
- 8. By reason of the foregoing, Respondent is subject to discipline by the Board as provided in NRS 630.352.

Count II

NRS 630.306(1)(k) (Failure to Report Within 30 Days)

- 9. All of the allegations in the above paragraphs are hereby incorporated as if fully set forth herein.
- NRS 630.306(1)(k) provides that failure to report in writing, within 30 days, to the 10. Board any disciplinary action taken against the licensee by another state is grounds for initiating discipline against a licensee.
- 11. Respondent violated NRS 630.306(1)(k) when he failed to notify the Board, in writing, within 30 days of the Osteopathic Board's Order of October 12, 2016, which constitutes disciplinary action by another state entity.
- 12. By reason of the foregoing, Respondent is subject to discipline by the Board of as provided in NRS 630.352.

WHEREFORE, the IC prays:

That the Board give Respondent notice of the charges herein against him and give 1. 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 _____ day of August, 2020.

INVESTIGATIVE COMMITTEE OF THE NEVADA STATE BOARD OF MEDICAL EXAMINERS

Robert Kilroy, Esq.

General Counsel

Attorney for the Investigative Committee

OFFICE OF THE GENERAL COUNSEL

VERIFICATION

STATE OF NEVADA)
	: ss
COUNTY OF WASHOE)

Mr. M. Neil Duxbury, hereby deposes and states under penalty of perjury under the laws of the state of Nevada that he is the Chairman of the Investigative Committee of the Nevada State Board of Medical Examiners that authorized the foregoing Complaint against the Respondent herein; that he has read the foregoing Complaint; and that based upon information discovered during the course of the investigation into a complaint against Respondent, he believes the allegations and charges in the foregoing Complaint against Respondent are true, accurate and correct.

Dated this <u>I</u> day of August, 2020.

INVESTIGATIVE COMMITTEE OF THE NEVADA STATE BOARD OF MEDICAL EXAMINERS

Mr. M. Neil Duxbury, M.D., Chairman

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

CERTIFICATE OF MAILING

I hereby certify that I am employed by Nevada State Board of Medical Examiners and that on the 11th day of August, 2020, I served a filed copy of the FIRST AMENDED COMPLAINT, via USPS e-certified, return receipt mail to the following:

Gary Manley, PA-C c/o Todd Weiss, Esq. John H. Cotton & Associates, LTD. 7900 W. Sahara, Suite 200 Las Vegas, NV 89117 (702) 832-5909 TWeiss@jhcottonlaw.com

Dated this 11th day of August, 2020.

Show L. Quigley
Sheri L. Quigley, Legar Assistant