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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ROY HAN-HUI LOO, M.D.,

Respondent.

Case No. 23-25326-1

FILED

JUN - 8 2023

NEVADA STATE BOARD OF MEDICAL EXAMINERS

COMPLAINT

The Investigative Committee¹ (IC) of the Nevada State Board of Medical Examiners (Board), by and through Ian J. Cumings, Deputy General Counsel and attorney for the IC, having a reasonable basis to believe that Roy Han-Hui Loo, 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:

- Respondent was at all times relative to this Complaint a medical doctor holding an 1. active license to practice medicine in the State of Nevada (License No. 10129). Respondent was originally licensed by the Board on April 1, 2002.
 - 2. Patient A^2 was a forty-six (46) year-old female at the time of the events at issue.
- On the morning of March 13, 2018, Patient A was diagnosed by an optometrist 3. with an acute retinal horseshoe tear in the supertemporal quadrant of the left eye, following complaints of loss of vision.
- Patient A was immediately referred to Respondent following her diagnosis on 4. March 13, 2018.

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 Aury Nagy, M.D., Nicola (Nick) M. Spirtos, M.D., F.A.C.O.G., and Ms. Maggie Arias-Petrel.

² Patient A's true identity is not disclosed herein to protect her privacy, but is disclosed in the Patient Designation served upon Respondent along with a copy of this Complaint.

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- 5. On March 13, 2018, Patient A presented to Respondent. Respondent did not note a reason for the emergency referral, nor inquire to the referring optometrist for referral paperwork. Respondent documented Patient A had complaints of floaters in the left eye.
- 6. Respondent examined Patient A and documented the presence of vitreous floaters but failed to diagnose Patient A's retinal tear and intervene.
- 7. On March 14, 2018, Patient A developed decreased vision and was diagnosed with a retinal tear and detachment of the left eye by a different ophthalmologist. Patient A underwent urgent surgical repair on the evening of March 14, 2018.

COUNT I

NRS 630.301(4) - Malpractice

- 8. All of the allegations contained in the above paragraphs are hereby incorporated by reference as though fully set forth herein.
- 9. NRS 630.301(4) provides that malpractice of a physician is grounds for initiating disciplinary action against a licensee.
- NAC 630.040 defines malpractice as "the failure of a physician, in treating a 10. patient, to use the reasonable care, skill, or knowledge ordinarily used under similar circumstances."
- As demonstrated by, but not limited to, the above-outlined facts, Respondent failed 11. to use the reasonable care, skill or knowledge ordinarily used under similar circumstances when rendering medical services to Patient A by failing to diagnose and treat Patient A's retinal tear, leading to detachment of the retina in Patient A's left eye.
- 12. 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 Proper Medical Records

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

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- 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" constitute grounds for initiating discipline against a licensee.
- 15. Respondent failed to maintain complete medical records relating to the diagnosis, treatment, and care of Patient A, by failing to correctly obtain and note Patient A's reason for referral.
- 16. By reason of the foregoing, Respondent is subject to discipline by the Board 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 award fees and costs for the investigation and prosecution of this case as outlined in NRS 622.400;
- 5. 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

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

DATED this day of June, 2023.

INVESTIGATIVE COMMITTEE OF THE NEVADA STATE BOARD OF MEDICAL EXAMINERS

By:

Deputy General Counsel 9600 Gateway Drive Reno, NV 89521

Tel: (775) 688-2559

Email: <u>icumings@medboard.nv.gov</u>
Attorney for the Investigative Committee

OFFICE OF THE GENERAL COUNSEL Nevada State Board of Medical Examiners 9600 Gateway Drive Reno, Nevada 89521

STATE OF NEVADA

COUNTY OF CLARK

Aury Nagy, 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.

VERIFICATION

DATED this day of June, 2023.

INVESTIGATIVE COMMITTEE OF THE NEVADA STATE BOARD OF MEDICAL EXAMINERS

By:

) : ss.

AURY NAGY, M.D.

Chairman of the Investigative Committee