



Nevada State Board of Medical Examiners

## ***Press Release – June 17, 2008***

### **NEVADA STATE BOARD OF MEDICAL EXAMINERS TAKES DISCIPLINARY ACTION AGAINST TWO PHYSICIANS AND ONE PRACTITIONER OF RESPIRATORY CARE AND VOTES TO REVAMP WEBSITE TO INCLUDE ADDITIONAL INFORMATION CONCERNING LICENSEES**

The Nevada State Board of Medical Examiners held its quarterly meeting on June 13 & 14, 2008.

During the meeting, the Board took disciplinary action against the following licensed medical doctors and practitioner of respiratory care:

#### **Sidney Frank, M.D.**

The Board accepted and approved a stipulation for settlement of its complaint against Sidney Frank, M.D. Pursuant to the Settlement Agreement, the Board entered an order finding that Dr. Frank's California license to practice medicine had been suspended, modified or limited, a violation of NRS 630.301(3). The Board ordered that Dr. Frank's Nevada license be placed in a probationary status until August 30, 2012, provided he remain in compliance with the terms and conditions of probation placed upon him pursuant to the Settlement Agreement. Those terms include reimbursement of the Board's costs and expenses incurred in the investigation and prosecution of the case against him, payable within 60 days of the Board's acceptance, adoption and approval of the Settlement Agreement.

**Jason Howerton, C.R.T.**

Upon a review of the records and transcript of the hearing held on April 9, 2008, the Board found Jason Howerton, C.R.T. guilty of the allegations contained in the complaint against him, that he willfully made a false or fraudulent statement on his application for licensure, a violation of NAC 630.540(1). The Board revoked Mr. Howerton's license to practice respiratory therapy in Nevada and ordered that he pay a fine of \$1,500 and reimburse the Board's costs and expenses incurred in the investigation and prosecution of the case against him.

**Andrew Wesely , M.D.**

The Board accepted and approved a stipulation for settlement of its complaint against Andrew Wesely, M.D. Pursuant to the Settlement Agreement, the Board entered an order finding that Dr. Wesely had failed to keep accurate and timely medical records, a violation of NRS 630.3062(1). The Board ordered that Dr. Wesely receive a public reprimand; that he complete 10 hours of continuing medical education on the topics of informed consent and/or medical record keeping, to be pre-approved by the Board's Investigative Committee, to be completed within 1 year of the Board's acceptance, adoption and approval of the Settlement Agreement, and to be in addition to any other continuing medical education required as a condition of licensure; and that he reimburse the Board's costs and expenses incurred in the investigation and prosecution of the case against him, payable within 90 days of the date of the Board's order.

Disciplinary action against these licensees is reported to all other states in which they may be licensed and to the National Practitioner Data Bank and Federation of State Medical Boards of the United States.

***Additionally, the Board ratified licensure of 78 physicians, 10 physician assistants and 36 practitioners of respiratory care, and requested personal appearances of 27 physician and 2 practitioner of respiratory care applicants for licensure.***

Of the 27 physician applicants who were requested to personally appear, the Board granted licenses to 11 with no conditions or restrictions, 8 by endorsement, and 3 subject to conditions. One physician was granted an administrative license and one was granted a limited license for medical residency training. Consideration of 1 physician's application was tabled for consideration at a future meeting of the Board, and 2 physicians withdrew their applications during their appearances before the Board. The Board granted licenses to the two practitioner of respiratory care applicants with no conditions or restrictions.

From January 1 to June 12, 2008, the Board licensed 148 new physicians administratively, that is, applicants who met all of the statutory and regulatory requirements for licensure. This includes 13 physicians who were issued special purpose licenses and 5 who were issued limited licenses as medical residents (but does not include the applicants who appeared before the Board at the June meeting).

***The Board also voted to include additional information concerning its licensees on the Board's website and to revamp it to make it more user-friendly for the public.***

***The Board agreed that it was subject to the ethics and conflict of interest requirements in Chapter 281A of the Nevada Revised Statutes and this did not require a separate policy on the matter.***

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