



## The False Claims Act and the Seal: What Whistleblowers Need to Know

**By: Rachel V. Rose, JD, MBA**

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*Known as the “Lincoln Law,” the FCA stems back to 1863 and was enacted to root out fraud being perpetrated by suppliers of goods during the Civil War.*

### Overview

If you’ve been in the healthcare industry long enough, chances are that you have heard of the False Claims Act (“FCA”).<sup>1</sup> In early February 2022, the United States Department of Justice (“DOJ”) announced that it recovered over \$5.6 billion in judgments and settlements involving civil FCA cases involving federal government monies.<sup>2</sup> This represents the second largest amount of recoveries ever recorded and the largest amount since 2014.<sup>3</sup> As in years past, health care fraud topped the list for FCA judgments and recoveries. If one steps back to think about the conditions for participation in Medicare, Medicaid, and TRICARE, as well as the number of individual claims that are submitted to the government under these and other government programs, it is not surprising that healthcare is at the top of the fraud list.

Known as the “Lincoln Law,” the FCA stems back to 1863 and was enacted to root out fraud being perpetrated by suppliers of goods during the Civil War.<sup>4</sup> Fast forward to today. According to the DOJ, the FCA has been amended three times since 1986,<sup>5</sup> including the Fraud Enforcement and Recovery Act of 2009 (“FERA”).<sup>6</sup> In 2021, new legislation was introduced to further amend and/or clarify certain aspects of the FCA, including materiality.<sup>7</sup>

In simplistic terms, the FCA establishes liability for conduct whereby a person “knowingly submits a false claim to the government or causes another to submit a false claim to the government or knowingly makes a false record or statement to get a false claim paid by the government.”<sup>8</sup> Liability may also be established under a provision known as the “reverse false claim” whereby a person receives money from the government that he/she should not have received and fails to pay back the government.<sup>9</sup>

The FCA is unique in many respects from a typical civil case filed in a United States District Court. Two of the critical distinguishing factors are who may bring a case and the seal provision. First, an FCA matter may be brought by the government on its own or by a whistleblower, known as a “relator” under the *qui tam* provision.<sup>10</sup> A lawyer must represent a relator – meaning that unless the whistleblower is a lawyer, then a non-lawyer must be represented by counsel. Second, the case is both filed under seal and is initially kept under seal for 60 days. The government may request extensions of the seal.

The FCA’s requisite seal component is the focus of this article. Regardless of the individual’s background, it is imperative make certain that all persons involved – clients and co-counsel alike – understand the seal provision, as well as the potential consequences for violating the seal.

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### MISSION STATEMENT

The Nevada State Board of Medical Examiners protects the public and serves the State of Nevada by ensuring that only well-qualified, competent physicians, physician assistants, practitioners of respiratory care and perfusionists receive licenses to practice in Nevada. The Board responds with expediency to complaints against our licensees by conducting fair, complete investigations that result in appropriate action. In all Board activities, the Board shall place the interests of the public before the interests of the medical profession and encourage public input and involvement to help educate the public as we improve the quality of medical practice in Nevada.

# BOARD NEWS

**Executive Director Edward O. Cousineau, J.D.** was selected to join the Board of Directors for the Federation of State Medical Boards (FSMB). As part of the Board of Directors, Mr. Cousineau will help to shape FSMB policy on issues facing the medical regulatory community and the resources provided to member boards. Previously, Mr. Cousineau represented Nevada on the Interstate Medical Licensure Compact (IMLC) as both the Treasurer and Vice Chair, and he continues to serve as the Board's voting commissioner on the IMLC. For more information about the FSMB, please go to <https://www.fsmb.org/>. For more information about the IMLC, please go to <https://www.imlcc.org/>.

\* \* \*

The Board is currently working on revisions to NAC Chapter 630 which are available for review at <https://www.leg.state.nv.us/Register/2022Register/R028-22RP1.pdf>. A public workshop and a public hearing will soon be scheduled on this regulation draft. If you are interested in receiving more information about the Board's regulation review process or if you have questions or comments about this regulation draft, please contact Deputy Executive Director Sarah Bradley at [bradleys@medboard.nv.gov](mailto:bradleys@medboard.nv.gov).

## BOARD MEMBERS

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## **NOTIFICATION OF ADDRESS CHANGE, PRACTICE CLOSURE AND LOCATION OF RECORDS**

Pursuant to NRS 630.254, all licensees of the Board are required to "maintain a permanent mailing address with the Board to which all communications from the Board to the licensee must be sent." A licensee must notify the Board in writing of a change of permanent mailing address within 30 days after the change. Failure to do so may result in the imposition of a fine or initiation of disciplinary proceedings against the licensee.

Please keep in mind the address you provide will be viewable by the public on the Board's website.

Additionally, if you close your practice in Nevada, you are required to notify the Board in writing within 14 days after the closure, and for a period of 5 years thereafter, keep the Board apprised of the location of the medical records of your patients.

The importance of the seal cannot be understated, as well as the procedural items that attorneys must consider cannot be ignored.

### The Seal

The FCA requires that the “complaint must be filed under seal”<sup>11</sup> with the clerk of court by relator’s counsel. The pleadings are placed on a docket that is kept out of public purview until the judge “unseals” the case. “Copies of the complaint are given only to the United States Department of Justice (DOJ), including the local United States Attorney, and to the assigned judge of the district court.”<sup>12</sup> In other words, the defendants should not be served, despite what every law student learns in law school – adhere to the Federal Rules of Civil Procedure. The Federal Rules of Civil Procedure may come into play in different ways while a case is under seal; however, it is not until a case is unsealed that Fed. R. Civ. P. 4 (service) applies. This is one landmine to avoid. If you are an attorney, disregard what was learned in civil procedure class until the government apprises you that it intends to decline to intervene in the case and the court unseals the relevant pleadings and you and your client have made the decision to move forward with litigation.<sup>13</sup>

The seal has a variety of functions, which include “allowing the *qui tam* relator to start the judicial wheels in motion and protect his litigative rights, while allowing the government the opportunity to study and evaluate the relator’s information for possible intervention in the *qui tam* action or in relation to an overlapping criminal investigation.”<sup>14</sup> While secrecy is fundamental to the seal, various courts, including the Fourth Circuit Court of Appeals, have indicated other material reasons for the seal:

- (1) to permit the United States to determine whether it already was investigating the fraud allegations (either criminally or civilly);
- (2) to permit the United States to investigate the allegations to decide whether to intervene;
- (3) to prevent an alleged fraudster from being tipped off about an investigation; and
- (4) to protect the reputation of a defendant in that the defendant is named in a fraud action brought in the name of the United States, but the United States has not yet decided whether to intervene.<sup>15</sup>

Another important consideration of the seal is that the DOJ has the option of opening a criminal matter, which has heightened due process requirements.<sup>16</sup> Depending on the type of case and the complexity of the fraud, cases may remain under seal for a timeframe that may range from sixty days<sup>17</sup> to over a decade.<sup>18</sup> How does this happen when the FCA expressly states that a case is to remain under seal for sixty days? Another FCA provision allows the government to request seal extensions in camera and under seal, “for good cause shown.”<sup>19</sup> Importantly, the term “good cause” is not defined and is often left up to the discretion of the judge.<sup>20</sup>

A partial seal lift may also occur. A partial seal lift is essentially a request by the government that is made to the court to partially lift the seal for a specific and limited purpose and disclose the existence of a case to the defendants, to share with a third party, or to share with other courts (i.e., state court), which is typical,<sup>21</sup> or for an unusual reason, such as a relator’s request either for their own law firm or for the client to obtain third-party litigation financing. Often, the government may redact portions of the pleading that it intends to disclose to the defense counsel or for another relevant purpose. Again, the court has the ultimate say on whether to grant the motion for a partial seal lift. Whether third-party litigation financing constitutes good cause – that’s up to the judge.

As for the hypothetical example of counsel requesting a partial seal lift for third-party litigation funding, as the use of third-party litigation funding has proliferated in other types of cases, such as mass torts and class actions, its use in FCA cases that are under seal has received increased scrutiny from the DOJ because in an FCA case, the United States Government remains the main party of interest in the case and is entitled to the greatest recovery under the

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statute.<sup>22</sup> As previously noted, once a *qui tam* case is filed, it is under seal and disclosed only to the government. Only the government and/or the court may decide when to unseal a case – whether partially or fully.

For years, the DOJ has asked both relators and their counsel during a confidential interview to disclose whether any person other than the relator or their counsel have a financial interest in the case. This question not only encompasses third-party litigation finance companies, but also “silent partners” and spouses. As one can imagine, if a person was feeding information to a whistleblower in exchange for remuneration premised upon the outcome of the FCA case, it could be problematic for the government’s investigation. In 2020, various high-level DOJ officials gave speeches whereby third-party litigation financing was raised in relation to FCA cases. There are two key take-aways: (1) the DOJ attorneys ask five questions, if the answer to the first question (whether or not litigation funding is used) is “yes,” four more questions are asked; and (2) the DOJ may move to dismiss *qui tam* actions brought by relators who have entered into an agreement with a third-party litigation funder.<sup>23</sup> Once a decision has been made by the government to decline the case and allow the matter to move forward with the relator’s counsel taking primary responsibility for the litigation, then it is incumbent on relator’s counsel to notify the government if they obtain third-party litigation financing. Although the case is no longer considered under-seal, relator’s counsel should always consider not sharing government correspondence because of joint-prosecutorial privilege, as well as any parallel proceedings (including administrative actions), which may be affected.

On June 25, 2020, the Eleventh Circuit Court of Appeals issued its Opinion in *United States ex rel. Angela Ruckh v. Salus Rehabilitation, LLC, et al.* – a portion of which addressed third-party litigation funding.<sup>24</sup> Ms. Ruckh, a registered nurse, brought a FCA case against two skilled nursing home facilities, as well as two related entities that provided management services at 53 facilities in the State of Florida.<sup>25</sup> After a jury trial, the district court entered a judgment in favor of Ms. Ruckh, as well as the plaintiffs (the United States and the State of Florida) in the amount of \$347,864,285 for the submission of false and fraudulent Medicare and Medicaid claims for payment.<sup>26</sup>

The defendants appealed and one of its claims on appeal was Ms. Ruckh’s October 17, 2017 litigation funding agreement (“Agreement”) with ARUS 1705-556 LLC (“ARUS”) “vitiat[e] her standing to pursue this appeal.”<sup>27</sup> As collateral, she “agreed to sell ARUS less than 4% of her share of the judgment originally entered by the district court, if the jury verdict were upheld on appeal, assuming a 30% share to the relator.” There is also an express provision that ARUS has no power to influence or control the litigation – a fact the court found critical to its decision.<sup>28</sup> The court also acknowledged that the FCA “does not expressly authorize relators to reassign their right to represent the interests of the United States in *qui tam* actions...[and] [t]he FCA includes a number of restrictions, including on the conduct of *qui tam* actions and who may serve as a relator. See 31. U.S.C. § 3730.”<sup>29</sup> As addressed in the article, one of the restrictions is the seal.

It is important to note that *Ms. Ruckh’s case had already been unsealed before she, with the knowledge of her counsel, entered into a litigation funding agreement* (emphasis added).

Until now, the focus has been on the government and the court; however, attorneys also need to consider both the client and the respective state bar’s professional rules. In *Ruckh*, the client knew about the terms of the agreement because she was a signatory. In Texas, the State Bar of Texas has specifically held that, “a lawyer may not sell or transfer ... accounts receivable owing by the lawyer’s clients or former clients except with the clients’ consent, after consultation with the lawyer, to the disclosure of confidential information incident to such sale or transfer.”<sup>30</sup> In other words, a client is informed and gives consent. If the client does not consent to either the “cost of capital”<sup>31</sup> and/or the information being transferred to a third-party litigation funding company, then a lawyer runs afoul of the rules. It is imperative that co-counsel, whether in an “of counsel” capacity or not, be transparent so that all lawyers can meet their legal and professional obligations.

The State Bar of Texas is not alone in its view. The Ohio Supreme Court's Board of Commissions on Grievance and Discipline issued an advisory opinion indicating that not only is a lawyer precluded from selling his or her fees at any stage, factoring of specific invoices would likely implicate Rule 1.6 since it would constitute, with almost certainty, the disclosure of confidential or secret information of the client without the client's consent.<sup>32</sup>

Failure to secure the client's consent, and in turn failing to notify the government to obtain the court's permission to partially lift the seal for a specific purpose (and in the case of a third-party litigation financing request made by counsel while a case is under seal, also obtaining the government's agreement for them to file a motion with the court), may result in a breach of the seal, which could have serious consequences for the attorney(s), the client, and the case.

### Potential Consequences of the Seal Breach

In 2016, the United States Supreme Court addressed the issue of whether a seal breach automatically requires the FCA case to be dismissed.<sup>33</sup> In *Rigsby*, the Relator's attorney emailed the sealed complaint to the media. The Supreme Court held that dismissal of an FCA case is not automatic, as well as outlining three factors for lower courts to consider when a judge exercises its discretion.<sup>34</sup> The three factors are as follows: "(1) the actual harm to the Government, (2) the severity of the violations, and (3) the evidence of bad faith."<sup>35</sup>

Consider a post-*State Farm* case where a U.S. District Court applied the *State Farm* factors to a declined FCA case for the last seven years of its thirteen-year history (the government requested 18 seal extensions) and reduced the award because of an earlier seal breach which resulted in extensive litigation, delay, and government resources.<sup>36</sup> In *U.S. ex rel. Bibby v. Wells Fargo Bank, N.A.*, the relators informed the court that they had previously violated the court's seal orders in multiple communications with members of the media starting in 2009.<sup>37</sup> This led Wells Fargo to file a motion to dismiss. The court ultimately denied Wells Fargo's motion to dismiss but imposed monetary sanctions on the relators totaling \$1.61 million.<sup>38</sup>

In sum, seal breaches can be costly. A prudent course of action would be to err on the side of caution and avoid an indicium of a seal breach, especially when the government has not been informed and the court has not granted a partial seal lift for a specific purpose.

### Conclusion

Healthcare continues to be the top area of enforcement and recovery under the FCA. Relators in healthcare cases range from physicians to healthcare company executives, to nurses, to sales representatives. Becoming a whistleblower takes courage and an understanding of what is expected of him/her throughout the process. Counsel also has professional and legal obligations to the government, the client, and the case in FCA, as well as other sealed and confidential matters, such as Dodd-Frank whistleblower claims. To that end, the seal, as well as the use of litigation funding, need to be understood by counsel and clients alike. Counsel should not place their own interests above that of the law or the client's authority.

As Albert Einstein said – "The only source of knowledge is experience." In writing this article, hopefully, whistleblowers and counsel (on both sides of the aisle) will have information to make informed decisions so that the experience of all parties is accomplished in accordance with law, equity, and professional ethics.

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<sup>1</sup> False Claims Act, 31 U.S.C. §§ 3729-3733

<sup>2</sup> DOJ, *Justice Department's False Claims Act Settlements and Judgments Exceed \$5.6 Billion in Fiscal Year 2021* (Feb. 1, 2022), <https://www.justice.gov/opa/pr/justice-department-s-false-claims-act-settlements-and-judgments-exceed-56-billion-fiscal-year>.

<sup>3</sup> *Ibid.*

<sup>4</sup>U.S. Department of Justice, *The False Claims Act: A Primer*, [https://www.justice.gov/sites/default/files/civil/legacy/2011/04/22/C-FRAUDS\\_FCA\\_Primer.pdf](https://www.justice.gov/sites/default/files/civil/legacy/2011/04/22/C-FRAUDS_FCA_Primer.pdf) (last visited Feb. 13, 2022).

<sup>5</sup>*Ibid.*

<sup>6</sup>Fraud Enforcement and Recovery Act of 2009, Pub. L. 111-21 (May 20, 2009).

<sup>7</sup>False Claims Amendments Act of 2021, S.2428 (Jul. 22, 2021), <https://www.congress.gov/bill/117th-congress/senate-bill/2428/text?q=%7B%22search%22%3A%5B%22False+Claims+Act%22%5D%7D&r=1&s=1>.

<sup>8</sup>*Supra* n. 3.

<sup>9</sup>31 U.S.C. § 3729(a)(1)(G).

<sup>10</sup>31 U.S.C. §3730(b)(1),(2).

<sup>11</sup>31 U.S.C. § 3730(b)(2).

<sup>12</sup>U.S. DEP'T OF JUSTICE, FALSE CLAIMS ACT CASES: GOVERNMENT INTERVENTION IN QUI TAM (WHISTLEBLOWER) SUITS, <https://www.doioig.gov/docs/falseclaimsact.pdf> (last visited Feb. 15, 2022).

<sup>13</sup>31 U.S.C. § 3733.

<sup>14</sup>*United States ex rel. Howard v. Lockheed Martin Corp.*, No. 1:99-CV-285, 2007 WL 1513999, at \*1 (S.D. Ohio 2007) (quoting *United States ex rel. Lujan v. Hughes Aircraft Co.*, 67 F.3d 242, 245 (9th Cir. 1995)) (internal quotation marks omitted).

<sup>15</sup>*Am. Civil Liberties Union v. Holder*, 673 F.3d 245, 249-50 (4th Cir. 2011) (citing S. REP. No. 99-345, at 24-25 (1986)).

<sup>16</sup>*Am. Civil Liberties Union*, 673 F.3d at 250.

<sup>17</sup>*Supra* n. 11.

<sup>18</sup>*U.S. ex rel. IIRT, LLC v. Sightline Health, et al.*, Case No. 3:16-CV-3203 (N.D. Tex.) (illustrating a non-intervened case with the initial complaint filed in November 2016 with final settlement being reached in December 2021); *United States ex rel. Medrano and Lopez v. Diabetic Care Rx LLC, d/b/a Patient Care America, et al.*, Case No. 15-cv-62617 (S.D. Fla.) (illustrating an intervened case which was filed on Dec. 14, 2015 and a settlement was announced by the government on Sept. 18, 2019); *United States ex rel. Magee, et al v. Texas Heart Hospital of the Southwest LLP*, Case No. 4:16-cv-00717 (E.D. Tex.) (illustrating a declined case that was filed on Sept. 16, 2016 and ultimately settled and terminated on Jan. 6, 2021); *United States ex rel. Riedel v. Boston Heart Diagnostics Corp.*, Case No. 1:12-cv-01423 (D. D.C.) (illustrating a case that was filed Aug. 28, 2012 and ultimately settled and terminated Nov. 21, 2019). See also U.S. GOV'T ACCOUNTABILITY OFFICE, GAO-06-320R, INFORMATION ON FALSE CLAIMS ACT LITIGATION 3 (2006), available at <http://www.gao.gov/assets/100/93999.pdf> (indicating that the average time for the government to decide whether to intervene or decline a case is three (3) years, which is different from the date of filing to a potential case resolution).

<sup>19</sup>31 U.S.C. § 3730(b)(3).

<sup>20</sup>An order “partially unsealing” a *qui tam* complaint usually enables the government to disclose the complaint to the defendant or a state court in a parallel proceeding (e.g., employment claim involving the whistleblower) with the caveat that the complaint “remain under seal” and not be disclosed publicly until the federal judge issues an order.

<sup>21</sup>See, e.g., *United States ex rel. Johnson v. Walmart Stores, Inc.*, 13 Civ. 2277 (E.D. Cal. May 8, 2015) (“The complaint and all other filings shall remain under seal, except insofar as the seal has been partially lifted by this Court.”); *United States ex rel. Creekside Hospice II, LLC*, 13 Civ. 167 (D. Nev. Sept. 23, 2013) (“AND FURTHER ORDERED that the seal shall remain in place in all other respects.”); *United States and The State of Tennessee, ex rel. Dennis Dodson*, Case No. 1:11-cv-182, Dec. 12 (M.D. Ten. Mar. 19, 2012) (“In addition, the seal on the case is **PARTIALLY LIFTED** for the limited purposes described by the Movants in their motion.”); *United States ex rel. James Moran v. Automotive Testing Laboratories, Inc.*, 98 Civ. 825 (S.D. Ohio Dec. 16, 2004) (“It is HEREBY ORDERED that the United States’ application for partial lifting of the seal is granted and the United States is permitted to disclose the relator’s complaint to Defendant Automotive Testing Laboratories, Inc.; ... IT IS FURTHER ORDERED that, except as provided herein, the record in this lawsuit, including this Order and the United States’ Unopposed Application for Partial Lifting of Seal and Motion for Four Month Extension of Time to Make Election Whether to Intervene and Memorandum in Support, shall remain under seal until further order of this Court.”).

<sup>22</sup>False Claims Act, 18 U.S.C. § 286, 18 U.S.C. § 287, and 31 U.S.C. §3729, et seq., [https://www.law.cornell.edu/wex/false\\_claims\\_act](https://www.law.cornell.edu/wex/false_claims_act) (“In these suits, the government is the real party in interest, and thus is considered the plaintiff.”).

<sup>23</sup>D. Pivnick, B. Barnett, *Updates on Third Party Involvement in Litigation Funding for FCA Cases* (Oct. 26, 2020), <https://www.thefcainsider.com/2020/10/updates-on-third-party-involvement-in-litigation-funding-for-fca-cases/> (noting that the other four questions include identifying the funder; whether the relator or counsel has shared information relating to the *qui tam* allegations with the funder; the existence of a written agreement; and whether the agreement entitles the funder to exercise any direct or indirect control over the relator’s litigation or settlement decisions).

<sup>24</sup>*United States ex rel. Angela Ruckh v. Salus Rehabilitation, LLC, et al.*, Case No. 8:11-cv-01303 (11th Cir. 2020), <https://law.justia.com/cases/federal/appellate-courts/ca11/18-10500/18-10500-2020-06-25.html>.

<sup>25</sup>*Id.*

<sup>26</sup>*Id.*

<sup>27</sup>*Id.* at 16.

<sup>28</sup>*Id.* at 20.

<sup>29</sup>*Id.* at 20-21.

<sup>30</sup>Opinion No. 655, May 2016, 79 Tex. B.J. 470 (2016).

<sup>31</sup>S. Francis Ward, *Risky Business*, *ABA Journal*, p. 54 (Jan.-Feb. 2022) (highlighting that “[t]he loans are nonrecourse, so if the case or cases go south or the attorney breaks the agreement, the funder loses its investment” [ and] “if the litigation is successful, the return on investment could be between 200% and 400%[.]”).

<sup>32</sup>Sup. Ct. of Ohio, Board Of Commissioners on Grievances and Discipline, Informal Op. 2004-2 (2004).

<sup>33</sup>*State Farm Fire & Cas. Co. v. United States ex rel. Rigsby*, 137 S. Ct. 436, 580 U.S. \_\_\_ (2016), [https://www.supremecourt.gov/opinions/16pdf/15-513\\_43j7.pdf](https://www.supremecourt.gov/opinions/16pdf/15-513_43j7.pdf).

<sup>34</sup>*State Farm*, 580 U.S. at p. 6, [https://www.supremecourt.gov/opinions/16pdf/15-513\\_43j7.pdf](https://www.supremecourt.gov/opinions/16pdf/15-513_43j7.pdf). It’s also important to remember that judges are human and at times, his/her perspective and ultimate decision is worth contesting and/or appealing.

<sup>35</sup>*Id.*

<sup>36</sup>*United States ex rel. Bibby v. Wells Fargo Home Mortg. Inc.*, 369 F. Supp. 3d 1346 (N.D. Ga. 2019).

<sup>37</sup>*United States ex rel. Bibby v. Wells Fargo Home Mortg. Inc.*, 76 F. Supp. 3d 1399, 1404 (N.D. Ga. 2015).

<sup>38</sup>*United States ex rel. Bibby v. Wells Fargo Home Mortg. Inc.*, 2015 SL 12850572, at \*1 (N.D. Ga. Feb. 26, 2015).

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*Disclaimer: The opinions expressed in this article are those of the author, and do not necessarily reflect the opinions of the Board members or staff of the Nevada State Board of Medical Examiners.*

**WHOM TO CALL IF YOU  
HAVE QUESTIONS**

Management: Edward O. Cousineau, JD  
Executive Director

Donya Jenkins  
Finance Manager

Administration: Laurie L. Munson, Chief

Legal: Sarah A. Bradley, JD, MBA  
Deputy Executive Director

Licensing: Lynnette Daniels, Chief

Investigations: Ernesto Diaz, Chief

**2022 BME MEETING & HOLIDAY  
SCHEDULE**

**January 17** – Martin Luther King, Jr. Day

**February 21** – Presidents' Day

**March 4** – Board meeting (Las Vegas)

**May 30** – Memorial Day

**June 10** – Board meeting (Reno)

**July 4** – Independence Day

**September 5** – Labor Day

**September 16** – Board meeting (Reno)

**October 28** – Nevada Day

**November 11** – Veterans' Day

**November 24 & 25** – Thanksgiving Day & Family Day

**December 2** – Board meeting (Las Vegas)

**December 26** – Christmas (observed)

**Nevada State Medical Association**

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Reno, NV 89511

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**Nevada State Board of Pharmacy**

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**Clark County Medical Society**

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**Nevada State Board of Nursing**

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*As noted, Board meetings are held at the Reno office of the Nevada State Board of Medical Examiners, 9600 Gateway Drive, and videoconferenced to the Las Vegas office of the Nevada State Board of Medical Examiners, 325 E. Warm Springs Road, Suite 225, or held at the Las Vegas office and videoconferenced to the Reno office.*

# DISCIPLINARY ACTION REPORT

## **AKEM, Veronica A., RRT (RC1676)**

### **North Las Vegas, Nevada**

Summary: Alleged practicing respiratory care without a license.

Charges: One violation of NRS 630.400(1)(d) [practicing respiratory care without a license].

Disposition: On March 4, 2022, the Board accepted a Settlement Agreement by which it found Ms. Akem violated NRS 630.400(1)(d), as set forth in the Complaint, and imposed the following discipline against her: (1) public reprimand; (2) \$100.00 fine; (3) reimbursement of the Board's fees and costs associated with investigation and prosecution of the matter.

## **ALBO, Pamela E., PA-C (608)**

### **Las Vegas, Nevada**

Summary: Alleged engaging in unprofessional conduct.

Charges: One violation of NRS 630.306(1)(p) [engaging in any act that is unsafe or unprofessional conduct].

Disposition: On June 10, 2022, the Board accepted a Settlement Agreement by which it found Ms. Albo violated NRS 630.306(1)(p), as set forth in the Complaint, and imposed the following discipline against her: (1) public reprimand; (2) \$500.00 fine; (3) 4 hours of continuing medical education (CME), in addition to her statutory CME requirements for licensure; (4) reimbursement of the Board's fees and costs associated with investigation and prosecution of the matter.

## **ARCOTTA, Karen F., M.D. (4896)**

### **Henderson, Nevada**

Summary: Alleged unlawful dispensing of controlled substances, engaging in unsafe or unprofessional conduct, engaging in conduct that brings the medical profession into disrepute, malpractice, engaging in conduct in violation of State Board of Pharmacy regulations, and continual failure to exercise the skill or diligence or use the methods ordinarily exercised under the same circumstances by physicians in good standing practicing in the same specialty or field.

Charges: Two violations of NRS 630.306(1)(c) [administering, dispensing or prescribing any controlled substance, or any dangerous drug as defined in chapter 454 of NRS, to or for herself or to others except as authorized by law]; two violations of NRS 630.306(1)(p) [engaging in any act that is unsafe or

unprofessional conduct]; two violations of NRS 630.301(9) [engaging in conduct that brings the medical profession into disrepute]; two violations of NRS 630.301(4) [malpractice]; one violation of NRS 630.306(1)(b)(3) [engaging in conduct which is in violation of a regulation adopted by the State Board of Pharmacy]; one violation of NRS 630.306(1)(g) [continual failure to exercise the skill or diligence or use the methods ordinarily exercised under the same circumstances by physicians in good standing practicing in the same specialty or field].

Disposition: On June 10, 2022, the Board accepted a Settlement Agreement by which it found Dr. Arcotta violated NRS 630.306(1)(c), NRS 630.306(1)(p), NRS 630.301(9), NRS 630.301(4), NRS 630.306(1)(b)(3) and NRS 630.306(1)(g), as set forth in the Complaint, and imposed the following discipline against her: (1) Dr. Arcotta's license to practice medicine in the State of Nevada was revoked, and she may not apply for reinstatement of a medical license in the State of Nevada for a period of five years; (2) public reprimand.

## **CESARETTI, Luke S., M.D. (6238)**

### **Las Vegas, Nevada**

Summary: Alleged malpractice and failure to maintain appropriate medical records relating to his treatment of a patient.

Charges: One violation of NRS 630.301(4) [malpractice]; one violation of NRS 630.3062(1)(a) [failure to maintain timely, legible, accurate and complete medical records relating to the diagnosis, treatment and care of a patient].

Disposition: On June 10, 2022, the Board accepted a Settlement Agreement by which it found Dr. Cesaretti violated NRS 630.301(4), as set forth in Count I of the First Amended Complaint, and imposed the following discipline against him: (1) public reprimand; (2) \$2,500.00 fine; (3) 10 hours of continuing medical education (CME), in addition to his statutory CME requirements for licensure; (4) reimbursement of the Board's fees and costs associated with investigation and prosecution of the matter. Count II of the First Amended Complaint was dismissed with prejudice.

## **CHEN, Jeff, M.D. (13095)**

### **Reno, Nevada**

Summary: Alleged engaging in conduct in violation of State Board of Pharmacy

regulations and failure to disclose on his renewal application a Pharmacy Board accusation which had been filed against him.

Charges: One violation of NRS 630.306(1)(b)(3) [engaging in conduct which is in violation of a regulation adopted by the State Board of Pharmacy]; one violation of NRS 630.304(1) [obtaining, maintaining or renewing a license to practice medicine by bribery, fraud or misrepresentation or by any false, misleading inaccurate or incomplete statement].

Disposition: On June 10, 2022, the Board accepted a Settlement Agreement by which it found Dr. Chen violated NRS 630.304(1), as set forth in Count II of the Complaint, and imposed the following discipline against him: (1) public reprimand; (2) \$500.00 fine; (3) two hours of continuing medical education (CME), in addition to his statutory CME requirements for licensure; (4) reimbursement of the Board's fees and costs associated with investigation and prosecution of the matter. Count I of the Complaint was dismissed with prejudice.

## **EYRE, Gregory G., M.D. (10616)**

### **South Lake Tahoe, California**

Summary: Disciplinary action taken against Dr. Eyre's license to practice medicine in the State of California.

Charges: One violation of NRS 630.301(3) [disciplinary action taken by another state].

Disposition: On March 4, 2022, the Board found, by a preponderance of the evidence, that Dr. Eyre violated NRS 630.301(3), as alleged in the underlying Complaint, and imposed the following discipline against him: (1) Dr. Eyre's license to practice medicine in the State of Nevada shall be revoked, and he may not reapply for licensure for a period of one year; (2) public reprimand; (3) reimbursement of the Board's fees and costs associated with investigation and prosecution of the matter, pursuant to the Memorandum of Costs, which he shall pay immediately upon any reapplication for licensure.

## **FREDERICKS, Robert S., M.D. (4014)**

### **Reno, Nevada**

Summary: Alleged unauthorized and inappropriate prescribing of a controlled substance listed in schedule II, III or IV and failure to comply with the requirements of NRS 639.23507.

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**Charges:** One violation of NRS 630.3062(1)(h) [fraudulent, illegal, unauthorized or otherwise inappropriate prescribing, administering or dispensing of a controlled substance listed in schedule II, III or IV]; one violation of NRS 630.3062(1)(g) [failure to comply with the requirements of NRS 453.163, 453.164, 453.226, 639.23507, 639.23535 and 639.2391 to 639.23916, inclusive, and any regulations adopted by the State Board of Pharmacy pursuant thereto].

**Disposition:** On June 10, 2022, the Board accepted a Settlement Agreement by which it found Dr. Fredericks violated NRS 630.3062(1)(h) and NRS 630.3062(1)(g), as set forth in the Complaint, and imposed the following discipline against him: (1) public reprimand; (2) \$2,500.00 fine; (3) 21 hours of continuing medical education (CME), in addition to his statutory CME requirements for licensure; (4) for a period of three years, Dr. Fredericks shall specifically comply with all laws pertaining to the dispensing, prescribing or administration of controlled substances and dangerous drugs, including, but not limited to, the requirements of NRS 453.163, 453.164, 453.226, 639.23507, 639.23535 and 639.2391 through 639.23916, inclusive, and any regulations adopted by the Nevada State Board of Pharmacy pursuant thereto, and shall specifically comply with the requirements of NRS 630.306(1)(f), and in so doing, shall not perform any procedure or prescribe any therapy which, by the current standards of practice of medicine, is experimental without first obtaining the informed consent of the patient or the patient's family; (5) reimbursement of the Board's fees and costs associated with investigation and prosecution of the matter.

#### **GARCIA, Julio L., M.D. (5672)**

##### **Las Vegas, Nevada**

**Summary:** Alleged aiding and assisting an unlicensed person to engage in the practice of medicine, delegation of injection of Botox and dermal fillers to unlicensed persons, engaging in conduct in violation of State Board of Pharmacy regulations, and engaging in unsafe and unprofessional conduct.

**Charges:** One violation of NRS 630.305(1)(e) [aiding, assisting, employing or advising, directly or indirectly, any unlicensed person to engage in the practice of medicine]; two violations of NRS 630.306(1)(u) [failure to comply with the provisions of NRS 454.217 or 629.086 (delegation of injection of Botox and dermal fillers to unlicensed persons)];

one violation of NRS 630.306(1)(b)(3) [engaging in conduct which is in violation of a regulation adopted by the State Board of Pharmacy]; one violation of NRS 630.306(1)(p) [engaging in any act that is unsafe or unprofessional conduct].

**Disposition:** On June 10, 2022, the Board accepted a Settlement Agreement by which it found Dr. Garcia violated NRS 630.305(1)(e), NRS 630.306(1)(u), NRS 630.306(1)(b)(3) and NRS 630.306(1)(p), as set forth in the Complaint, and imposed the following discipline against him: (1) public reprimand; (2) \$10,000.00 fine; (3) 22 hours of continuing medical education (CME), in addition to his statutory CME requirements for licensure; (4) submit to and pass all five parts of the Ethics and Boundaries Assessment Services (EBAS) examination, which shall be paid for at his expense; (5) reimbursement of the Board's fees and costs associated with investigation and prosecution of the matter.

#### **GERAYMOVYCH, Elena, M.D. (16838)**

##### **Reno, Nevada**

**Summary:** Alleged engaging in conduct which the Board of Medical Examiners has determined is a violation of the standards of practice established by regulation of the Board.

**Charges:** One violation of NRS 630.306(1)(b)(2) [engaging in conduct which the Board has determined is a violation of the standards of practice established by regulation of the Board].

**Disposition:** On June 10, 2022, the Board accepted a Settlement Agreement by which it found Dr. Geraymovych violated NRS 630.306(1)(b)(2), as set forth in the Complaint, and imposed the following discipline against her: (1) public reprimand; (2) \$1,000.00 fine; (3) 4 hours of continuing medical education (CME), in addition to her statutory CME requirements for licensure; (4) reimbursement of the Board's fees and costs associated with investigation and prosecution of the matter.

#### **GRINSELL, Randi F., M.D. (10448)**

##### **Reno, Nevada**

**Summary:** Alleged malpractice, failure to maintain appropriate medical records relating to her treatment of a patient, and engaging in conduct which the Board of Medical Examiners has determined is a violation of the standards of practice established by regulation of the Board.

**Charges:** One violation of NRS 630.301(4) [malpractice]; one violation of NRS 630.3062(1)(a) [failure to maintain timely, legible, accurate and complete medical records relating to the diagnosis, treatment and care of a patient]; one violation of NRS 630.306(1)(b)(2) [engaging in conduct which the Board has determined is a violation of the standards of practice established by regulation of the Board].

**Disposition:** On June 10, 2022, the Board accepted a Settlement Agreement by which it found Dr. Grinsell violated NRS 630.301(4), as set forth in Count I of the Complaint, and imposed the following discipline against her: (1) public reprimand; (2) \$1,500.00 fine; (3) 3 hours of continuing medical education (CME), in addition to her statutory CME requirements for licensure; (4) reimbursement of the Board's fees and costs associated with investigation and prosecution of the matter. Counts II and III of the Complaint were dismissed with prejudice.

#### **HIATT, Kim M., M.D. (16939)**

##### **Fort Collins, Colorado**

**Summary:** Disciplinary action taken against Dr. Hiatt's medical license in Wyoming and alleged failure to timely report said disciplinary action to the Nevada State Board of Medical Examiners.

**Charges:** One violation of NRS 630.301(3) [disciplinary action taken by another state]; one violation of NRS 630.306(1)(k) [failure to report in writing, within 30 days, disciplinary action taken by another state].

**Disposition:** On June 10, 2022, the Board accepted a Settlement Agreement by which it found Dr. Hiatt violated NRS 630.301(3) and NRS 630.306(1)(k), as set forth in the Complaint, and imposed the following discipline against her: (1) public reprimand; (2) reimbursement of the Board's fees and costs associated with investigation and prosecution of the matter.

#### **JACKSON, Todd L., M.D. (13385)**

##### **Kingman, Arizona**

**Summary:** Alleged malpractice.

**Charges:** One violation of NRS 630.301(4) [malpractice].

**Disposition:** On June 10, 2022, the Board accepted a Settlement Agreement by which it found Dr. Jackson violated NRS 630.301(4), as set forth in the Complaint, and imposed the following

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discipline against him: (1) public reprimand; (2) \$1,000.00 fine; (3) reimbursement of the Board's fees and costs associated with investigation and prosecution of the matter.

### **JOHNSON, Jeffrey L., M.D. (7412)**

#### **Las Vegas, Nevada**

Summary: Alleged malpractice, failure to maintain appropriate medical records relating to his treatment of a patient, and engaging in conduct which the Board of Medical Examiners has determined is a violation of the standards of practice established by regulation of the Board.

Charges: One violation of NRS 630.301(4) [malpractice]; one violation of NRS 630.3062(1)(a) [failure to maintain timely, legible, accurate and complete medical records relating to the diagnosis, treatment and care of a patient]; one violation of NRS 630.306(1)(b)(2) [engaging in conduct which the Board has determined is a violation of the standards of practice established by regulation of the Board].

Disposition: On June 10, 2022, the Board accepted a Settlement Agreement by which it found Dr. Johnson violated NRS 630.301(4), as set forth in Count I of the Complaint, and imposed the following discipline against him: (1) public reprimand; (2) \$2,500.00 fine; (3) 15 hours of continuing medical education (CME), in addition to his statutory CME requirements for licensure; (4) reimbursement of the Board's fees and costs associated with investigation and prosecution of the matter. Counts II and III of the Complaint were dismissed with prejudice.

### **KHAMAMKAR, Rajeev S., M.D. (8597)**

#### **Las Vegas, Nevada**

Summary: Alleged charging for services not rendered, falsifying medical records, violating the trust of a patient for financial gain, and failure to report a sanction reportable to the National Practitioner Data Bank within 45 days.

Charges: One violation of NRS 630.305(1)(d) [charging for services not rendered]; one violation of NAC 630.230(1)(a) [falsifying records of health care]; one violation of NRS 630.301(7) [engaging in conduct that violates the trust of a patient for financial gain]; one violation of NRS 630.3062(1)(e) [failure to report sanctions imposed against the physician that are reportable to the National Practitioner Data Bank within 45 days after the sanctions are imposed].

Disposition: On March 4, 2022, the Board accepted a Settlement Agreement by which it found Dr. Khamamkar violated NRS 630.305(1)(d), NAC 630.230(1)(a) and NRS 630.301(7), as set forth in the First Amended Complaint in Case No. 21-12218-1, and NRS 630.3062(1)(e), as set forth in the Complaint in Case No. 21-12218-2, and imposed the following discipline against him: (1) public reprimand; (2) \$6,000.00 fine; (3) 22 hours of continuing medical education (CME), in addition to his statutory CME requirements for licensure; (4) submit to an Ethics and Boundaries Assessment Services examination, at his own expense; (5) reimbursement of the Board's fees and costs associated with investigation and prosecution of the matter.

### **KIA, Ali, M.D. (11940)**

#### **Las Vegas, Nevada**

Summary: Alleged malpractice and engaging in conduct which the Board has determined is a violation of the standards of practice established by regulation of the Board.

Charges: One violation of NRS 630.301(4) [malpractice]; one violation of NRS 630.306(1)(b)(2) [engaging in conduct which the Board has determined is a violation of the standards of practice established by regulation of the Board].

Disposition: On March 4, 2022, the Board accepted a Settlement Agreement by which it found Dr. Kia violated NRS 630.306(1)(b)(2), as set forth in Count II of the First Amended Complaint, and imposed the following discipline against him: (1) public reprimand; (2) 6 hours of continuing medical education (CME), in addition to his statutory CME requirements for licensure; (3) reimbursement of the Board's fees and costs associated with investigation and prosecution of the matter. Count I of the Complaint was dismissed with prejudice.

### **KINGSBERG, Jessica G., M.D. (16603)**

#### **Las Vegas, Nevada**

Summary: Alleged malpractice, failure to maintain appropriate medical records relating to her treatment of a patient, and engaging in conduct which the Board has determined is a violation of the standards of practice established by regulation of the Board.

Charges: One violation of NRS 630.301(4) [malpractice]; one violation of NRS 630.3062(1)(a) [failure to maintain timely, legible, accurate and complete

medical records relating to the diagnosis, treatment and care of a patient]; one violation of NRS 630.306(1)(b)(2) [engaging in conduct which the Board has determined is a violation of the standards of practice established by regulation of the Board].

Disposition: On March 4, 2022, the Board accepted a Settlement Agreement by which it found Dr. Kingsberg violated NRS 630.301(4), as set forth in Count I of the Complaint, and imposed the following discipline against her: (1) public reprimand; (2) \$1,500.00 fine; (3) 8 hours of continuing medical education (CME), in addition to her statutory CME requirements for licensure; (4) reimbursement of the Board's fees and costs associated with investigation and prosecution of the matter. Counts II and III of the Complaint were dismissed with prejudice.

### **KUSHNIR, Christina L., M.D. (14396)**

#### **Las Vegas, Nevada**

Summary: Alleged failure to maintain appropriate medical records relating to her treatment of a patient, and engaging in conduct which the Board has determined is a violation of the standards of practice established by regulation of the Board.

Charges: One violation of NRS 630.3062(1)(a) [failure to maintain timely, legible, accurate and complete medical records relating to the diagnosis, treatment and care of a patient]; one violation of NRS 630.306(1)(b)(2) [engaging in conduct which the Board has determined is a violation of the standards of practice established by regulation of the Board].

Disposition: On March 4, 2022, the Board accepted a Settlement Agreement by which it found Dr. Kushnir violated NRS 630.3062(1)(a), as set forth in Count I of the First Amended Complaint, and imposed the following discipline against her: (1) public reprimand; (2) 6 hours of continuing medical education (CME), in addition to her statutory CME requirements for licensure; (3) reimbursement of the Board's fees and costs associated with investigation and prosecution of the matter. Count II of the First Amended Complaint was dismissed with prejudice.

### **LUDLOW, David V., M.D. (15226)**

#### **Las Vegas, Nevada**

Summary: Alleged unauthorized and otherwise inappropriate prescribing of a

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schedule II controlled substance, and failure to maintain appropriate medical records relating to his treatment of a patient.

**Charges:** One violation of NRS 630.3062(1)(h) [fraudulent, illegal, unauthorized or otherwise inappropriate prescribing, administering or dispensing of a controlled substance listed in schedule II, III or IV]; one violation of NRS 630.3062(1)(a) [failure to maintain timely, legible, accurate and complete medical records relating to the diagnosis, treatment and care of a patient].

**Disposition:** On March 4, 2022, the Board accepted a Settlement Agreement by which it found Dr. Ludlow violated NRS 630.3062(1)(a), as set forth in Count II of the Complaint, and imposed the following discipline against him: (1) public reprimand; (2) \$2,500.00 fine; (3) 20 hours of continuing medical education (CME), in addition to his statutory CME requirements for licensure; (4) reimbursement of the Board's fees and costs associated with investigation and prosecution of the matter. Count I of the Complaint was dismissed with prejudice.

#### **MAHADEVA, Vidur S., M.D. (11257)**

##### **Reno, Nevada**

**Summary:** Alleged engaging in conduct in violation of State Board of Pharmacy regulations.

**Charges:** Two violations of NRS 630.306(1)(b)(3) [engaging in conduct which is in violation of a regulation adopted by the State Board of Pharmacy].

**Disposition:** On March 4, 2022, the Board accepted a Settlement Agreement by which it found Dr. Mahadeva violated NRS 630.306(1)(b)(3), as set forth in the Complaint, and imposed the following discipline against him: (1) public reprimand; (2) \$1,500.00 fine; (3) reimbursement of the Board's fees and costs associated with investigation and prosecution of the matter.

#### **NORTON, Alexander, Jr., M.D. (10491)**

##### **Las Vegas, Nevada**

**Summary:** Alleged malpractice and failure to maintain appropriate medical records relating to his treatment of a patient.

**Charges:** One violation of NRS 630.301(4) [malpractice]; one violation of NRS 630.3062(1)(a) [failure to maintain timely, legible, accurate and complete medical records relating to the diagnosis, treatment and care of a patient].

**Disposition:** On June 10, 2022, the Board accepted a Settlement Agreement by which it found Dr. Norton violated NRS 630.301(4),

as set forth in Count I of the Complaint, and imposed the following discipline against him: (1) public reprimand; (2) \$1,500.00 fine; (3) reimbursement of the Board's fees and costs associated with investigation and prosecution of the matter. Count II of the Complaint was dismissed with prejudice.

#### **PERKINSON, Byron L., M.D. (14297)**

##### **Reno, Nevada**

**Summary:** Alleged failure to maintain appropriate medical records relating to his treatment of a patient.

**Charges:** One violation of NRS 630.3062(1)(a) [failure to maintain timely, legible, accurate and complete medical records relating to the diagnosis, treatment and care of a patient].

**Disposition:** On June 10, 2022, the Board accepted a Settlement Agreement by which it found Dr. Perkinson violated NRS 630.3062(1)(a), as set forth in the Complaint, and imposed the following discipline against him: (1) public reprimand; (2) \$500.00 fine; (3) 20 hours of continuing medical education (CME), in addition to his statutory CME requirements for licensure; (4) reimbursement of the Board's fees and costs associated with investigation and prosecution of the matter.

#### **RAMANATHAN, Ravi S., M.D. (9434)**

##### **Henderson, Nevada**

**Summary:** Alleged engaging in conduct in violation of State Board of Pharmacy regulations and engaging in conduct which the Board of Medical Examiners has determined is a violation of the standards of practice established by regulation of the Board.

**Charges:** One violation of NRS 630.306(1)(b)(3) [engaging in conduct which is in violation of a regulation adopted by the State Board of Pharmacy]; one violation of NRS 630.306(1)(b)(2) [engaging in conduct which the Board has determined is a violation of the standards of practice established by regulation of the Board].

**Disposition:** On June 10, 2022, the Board accepted a Settlement Agreement by which it found Dr. Ramanathan violated NRS 630.306(1)(b)(3) and NRS 630.306(1)(b)(2), as set forth in the Complaint, and imposed the following discipline against him: (1) public reprimand; (2) 8 hours of continuing medical education (CME), in addition to his statutory CME requirements for licensure; (3) reimbursement of the Board's fees and costs associated with investigation and prosecution of the matter.

#### **REGALADO, Maria C.O., M.D. (8966)**

##### **Las Vegas, Nevada**

**Summary:** Alleged malpractice, engaging in conduct which the Board has determined is a violation of the standards of practice established by regulation of the Board, and failure to maintain appropriate medical records relating to her treatment of three patients.

**Charges:** Three violations of NRS 630.301(4) [malpractice]; two violations of NRS 630.306(1)(b)(2) [engaging in conduct which the Board has determined is a violation of the standards of practice established by regulation of the Board]; three violations of NRS 630.3062(1)(a) [failure to maintain timely, legible, accurate and complete medical records relating to the diagnosis, treatment and care of a patient].

**Disposition:** On March 4, 2022, the Board accepted a Settlement Agreement by which it found Dr. Regalado violated NRS 630.306(1)(b)(2), as set forth in Counts II and VII of the Complaint, and NRS 630.3062(1)(a), as set forth in Counts III, V and VIII of the Complaint, and imposed the following discipline against her: Dr. Regalado's license to practice medicine in the State of Nevada was placed on probation for a period of 48 months, subject to various terms and conditions, to include the following: (1) public reprimand; (2) \$5,000.00 fine; (3) 38 hours of continuing medical education (CME), in addition to her statutory CME requirements for licensure, and 10 additional hours of CME that may be used towards fulfilling the 20 hours of CME in her scope of practice or specialty that are part of her statutory CME requirements for licensure; (4) reimbursement of the Board's fees and costs associated with investigation and prosecution of the matter. Counts I, IV and VI of the Complaint was dismissed with prejudice.

#### **SMITH, William D., M.D. (7897)**

##### **Las Vegas, Nevada**

**Summary:** Alleged malpractice, failure to maintain appropriate medical records relating to his treatment of two patients, and engaging in conduct which the Board has determined is a violation of the standards of practice established by regulation of the Board.

**Charges:** Two violations of NRS 630.301(4) [malpractice]; two violations of NRS 630.3062(1)(a) [failure to maintain

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timely, legible, accurate and complete medical records relating to the diagnosis, treatment and care of a patient]; two violations of NRS 630.306(1)(b)(2) [engaging in conduct which the Board has determined is a violation of the standards of practice established by regulation of the Board].

**Disposition:** On March 4, 2022, the Board accepted a Settlement Agreement by which it found Dr. Smith violated NRS 630.301(4), NRS 630.3062(1)(a) and NRS 630.306(1)(b)(2), as set forth in the two Complaints, and imposed the following discipline against him: (1) public reprimand; (2) Dr. Smith agrees to surrender his license to practice medicine in the State of Nevada and that he may not reapply for licensure for 3 years; (3) Dr. Smith will reimburse the Board's fees and costs associated with investigation and prosecution of the matters at the time of any reapplication for licensure.

#### **TAKAGI, Ippai, M.D. (15590)**

##### **Valparaiso, Indiana**

**Summary:** Alleged deceptive conduct, violating the trust of a patient for financial gain, and malpractice.

**Charges:** One violation of NRS 630.306(1)(b)(1) [engaging in conduct which is intended to deceive]; two violations of NRS 630.301(7) [engaging in conduct that violates the trust of a patient for financial gain]; one violation of NRS 630.301(4) [malpractice].

**Disposition:** On March 4, 2022, the Board accepted a Settlement Agreement by which it found Dr. Takagi violated NRS 630.301(4), as set forth in Count III of the Complaint, and imposed the following discipline against him: (1) public reprimand; (2) \$5,000.00 fine; (3) reimbursement of the Board's fees and costs associated with investigation and prosecution of the matter; (4) Dr. Takagi agrees to keep his license in "inactive" status through June 30, 2023, at which time his license will expire, and he has agreed not to request a reinstatement during the reinstatement period of July 1, 2023 through June 30, 2025. Should Dr. Takagi choose to reapply for licensure on or after July 1, 2025, he will be required to undergo a "fitness for practice" evaluation, at his own expense, and appear before the Board for review and consideration of his application. Counts I, II and IV of the Complaint were dismissed with prejudice.

#### **TIERNEY, Karen M., M.D. (9648)**

##### **Genoa, Nevada**

**Summary:** Disciplinary action taken against Dr. Tierney's medical license in California.

**Charges:** One violation of NRS 630.301(3) [disciplinary action taken by another state].

**Disposition:** On June 10, 2022, the Board accepted a Settlement Agreement by which it found Dr. Tierney violated NRS 630.301(3), as set forth in the Complaint, and imposed the following discipline against her: (1) public reprimand; (2) Dr. Tierney shall provide confirmation of completion of courses in best practices for prescribing controlled substances and recordkeeping, as required by the California Medical Board, within 60 days; (3) Dr. Tierney shall not supervise physician assistants or advanced estheticians, and shall not collaborate with advanced nurse practitioners, in the State of Nevada through and including February 3, 2023; (4) Dr. Tierney will provide the Board with confirmation of her successful completion of probation with the California Medical Board within 60 days of February 3, 2023; (5) reimbursement of the Board's fees and costs associated with investigation and prosecution of the matter.

#### **TURNER, Kelly J., M.D. (17670)**

##### **Ridgway, Colorado**

**Summary:** Disciplinary action taken against Dr. Turner's license to practice medicine in the State of Texas.

**Charges:** One violation of NRS 630.301(3) [disciplinary action taken by another state].

**Disposition:** On March 4, 2022, the Board accepted a Settlement Agreement by which it found Dr. Turner violated NRS 630.301(3), as set forth in the Complaint, and imposed the following discipline against him: (1) public reprimand; (2) \$500.00 fine; (3) reimbursement of the Board's fees and costs associated with investigation and prosecution of the matter; (4) prior to requesting a change of licensure status from "inactive" to "active," Dr. Turner agrees to undergo a "fitness for duty" evaluation and appear before the Board for review and consideration of his application. If Dr. Turner's request for change of status is granted, his license will be subject to a term of probation for a period not to exceed thirty-six (36) months from the date of the Board's acceptance, adoption and approval of

the Settlement Agreement. During the probationary period, Dr. Turner shall successfully complete all requirements and comply with all orders, past or future, of the Texas Medical Board, and shall not supervise any physician assistant nor collaborate with any advanced practice registered nurse in the State of Nevada.

#### **VIRDEN, Charles P., M.D. (7420)**

##### **Reno, Nevada**

**Summary:** Alleged malpractice.

**Charges:** Fifteen violations of NRS 630.301(4) [malpractice].

**Disposition:** On March 4, 2022, the Board accepted a Settlement Agreement by which it found Dr. Virden violated NRS 630.301(4), as set forth in the Complaint, and imposed the following discipline against him: Dr. Virden's license to practice medicine in the State of Nevada was placed on probation for a period of 48 months, subject to various terms and conditions, to include the following: (1) public reprimand; (2) \$10,000.00 fine; (3) 22 hours of continuing medical education (CME), in addition to his statutory CME requirements for licensure; (4) submit to an Ethics and Boundaries Assessment Services examination, at his own expense; (5) reimbursement of the Board's fees and costs associated with investigation and prosecution of the matter; (6) during the probationary period, Dr. Virden shall not inject liquid silicone into any human body for purposes other than the treatment of retinal detachment, he shall not purchase, possess or acquire liquid silicone, and shall immediately forfeit any liquid silicone now in his possession to the Nevada State Board of Pharmacy.

#### **WADSWORTH, Adelbert S., PA-C (PA1449)**

##### **Las Vegas, Nevada**

**Summary:** Alleged performance of medical services without a supervising physician, and failure to maintain appropriate medical records relating to his treatment of a patient.

**Charges:** One violation of NAC 630.380(1)(c) [performing medical services without the supervision of a supervising physician]; one violation of NRS 630.3062(1)(a) [failure to maintain timely, legible, accurate and complete medical records relating to the diagnosis, treatment and care of a patient].

**Disposition:** On March 4, 2022, the Board accepted a Settlement Agreement by which it found Mr. Wadsworth violated

NAC 630.380(1)(c) and NRS 630.3062(1)(a), as set forth in the Complaint, and imposed the following discipline against him: (1) public reprimand; (2) \$1,000.00 fine (3) reimbursement of the Board's fees and costs associated with investigation and prosecution of the matter.

**ZAFAR, Nayab M., M.D. (12883)**

**Las Vegas, Nevada**

*Summary:* Alleged malpractice and failure to maintain appropriate medical records relating to his treatment of a patient.

*Charges:* One violation of NRS 630.301(4) [malpractice]; one violation of NRS 630.3062(1)(a) [failure to maintain timely, legible, accurate and complete medical records relating to the diagnosis, treatment and care of a patient].

*Disposition:* On June 10, 2022, the Board accepted a Settlement Agreement by which it found Dr. Zafar violated NRS 630.301(4), as set forth in Count I of the Complaint, and imposed the following discipline against him: (1) public reprimand; (2) \$1,500.00 fine; (3) reimbursement of the Board's fees and costs associated with investigation and prosecution of the matter. Count II of the Complaint was dismissed with prejudice.

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# Public Reprimands Ordered by the Board

March 4, 2022

Veronica Arrey Akem, RRT  
6708 Dave Pappas St.  
North Las Vegas, NV 89086

**Re: In the Matter of Charges and Complaint  
Veronica Arrey Akem, RRT  
BME Case No. 22-35103-1**

Ms. Akem:

On March 4, 2022, the Nevada State Board of Medical Examiners (Board) accepted the Settlement Agreement (Agreement) between you and the Board's Investigative Committee in relation to the formal Complaint filed against you in the aforementioned case.

In accordance with its acceptance of the Agreement, the Board entered an Order finding you violated Count I of the Complaint, a violation of NRS 630.400(1)(d), Practicing Respiratory Care Without a License. For this, you shall be publicly reprimanded and shall pay a fine of one hundred dollars (\$100.00). You shall also pay the Board's fees and costs incurred in the investigation and prosecution of this matter.

Accordingly, it is my unpleasant duty as President of the Board to formally and publicly reprimand you for your conduct which has brought professional disrespect upon you and which reflects unfavorably upon the medical profession as a whole.

Sincerely,

Victor M. Muro, M.D., President  
Nevada State Board of Medical Examiners

June 16, 2022

Pamela Elaine Albo, PA-C  
c/o Bridget Ann Kelly, Esq.  
7395 S. Pecos Road, Suite 103  
Las Vegas, NV 89120

**Re: In the Matter of Charges and Complaint  
Against Pamela Elaine Albo, PA-C  
NSBME Case No. 22-367-1**

Ms. Albo:

On June 10, 2022, the Nevada State Board of Medical Examiners (Board) accepted the Settlement Agreement (Agreement) between you and the Board's Investigative Committee in relation to the formal Complaint filed against you in the aforementioned case.

In accordance with its acceptance of the Agreement, the Board entered an Order finding you violated Count I, violation of NRS 630.306(1)(p), Engaging in Unprofessional Conduct. For this, you shall be publicly reprimanded, and you shall pay a fine of five hundred dollars (\$500.00) as well as the Board's fees and costs incurred in the investigation and prosecution of this matter. Further, you shall take four (4) hours of continuing medical education (CME) related to the subject of proper recordkeeping, in addition to any regular CME hours imposed upon you as a condition of licensure in the State of Nevada.

Accordingly, it is my unpleasant duty as President of the Board to formally and publicly reprimand you for your conduct which has brought professional disrespect upon you, and which reflects unfavorably upon the medical profession as a whole.

Sincerely,

Victor M. Muro, M.D., President  
Nevada State Board of Medical Examiners

June 16, 2022

Karen Frances Arcotta, M.D.  
c/o Mace J. Yampolsky, Esq.  
Yampolsky & Margolis  
625 S. Sixth Street  
Las Vegas, NV 89101

**Re: In the Matter of Charges and Complaint  
Against Karen Frances Arcotta, M.D.  
NSBME Case No. 22-5972-1**

Dr. Arcotta:

On June 10, 2022, the Nevada State Board of Medical Examiners (Board) accepted the Settlement Agreement (Agreement) between you and the Board's Investigative Committee in relation to the formal Complaint filed against you in the aforementioned case.

In accordance with its acceptance of the Agreement, the Board entered an Order finding you violated Counts I through X, one (1) violation of NRS 630.306(1)(c), Unlawful Distribution of Controlled Substances (Count I and V), two (2) violations of NRS 630.306(1)(p), Unsafe or Unprofessional Conduct (Count II and VI), two (2) violations of NRS 630.301(9), Disreputable Conduct (Count III and VII), two (2) violations of NRS 630.301(4), Malpractice (Count IV and

VIII), one (1) violation of NRS 630.306(1)(b)(3), Violation of Statutes and Regulations of the Pharmacy Board (Count IX), and one (1) violation of NRS 630.306(1)(g), Continual Failure to Practice Medicine Properly (Count X). For this, you shall be publicly reprimanded, and your license to practice medicine shall be revoked and you may not reapply for reinstatement of your medical license for a period of five (5) years.

Accordingly, it is my unpleasant duty as President of the Board to formally and publicly reprimand you for your conduct which has brought professional disrespect upon you and which reflects unfavorably upon the medical profession as a whole.

Sincerely,

Victor M. Muro, M.D., President  
Nevada State Board of Medical Examiners

June 16, 2022

Luke St. John Cesaretti, M.D.  
c/o Adam Knecht, Esq.  
Alverson Taylor & Sanders  
6605 Grand Montecito Parkway, Suite 200  
Las Vegas, NV 89149

**Re: In the Matter of Charges and Complaint  
Against Luke St. John Cesaretti, M.D.  
NSBME Case No. 21-7235-1**

Dr. Cesaretti:

On June 10, 2022, the Nevada State Board of Medical Examiners (Board) accepted the Settlement Agreement (Agreement) between you and the Board's Investigative Committee in relation to the formal First Amended Complaint filed against you in the aforementioned case.

In accordance with its acceptance of the Agreement, the Board entered an Order finding you violated Count I, violation of NRS 630.301(4) Malpractice. For this, you shall be publicly reprimanded, and shall pay a fine of two thousand five hundred dollars (\$2,500) as well as the Board's fees and costs incurred in the investigation and prosecution of this matter. Further, you shall take ten (10) hours of continuing medical education (CME) related to recordkeeping in addition to any regular CME hours imposed upon you as a condition of licensure in the State of Nevada.

*Continued on page 16*

Accordingly, it is my unpleasant duty as President of the Board to formally and publicly reprimand you for your conduct which has brought professional disrespect upon you and which reflects unfavorably upon the medical profession as a whole.

Sincerely,

Victor M. Muro, M.D., President  
Nevada State Board of Medical Examiners

June 16, 2022

Jeff Chen, M.D.  
c/o Edward J. Lemons, Esq.  
6005 Plumas Street, Third Floor  
Reno, NV 89519

**Re: In the Matter of Charges and Complaint  
Against Jeff Chen, M.D.  
NSBME Case No. 22-30509-1**

Dr. Chen:

On June 10, 2022, the Nevada State Board of Medical Examiners (Board) accepted the Settlement Agreement (Agreement) between you and the Board's Investigative Committee in relation to the formal Complaint filed against you in the aforementioned case.

In accordance with its acceptance of the Agreement, the Board entered an Order finding you violated Count II, violation of NRS 630.304(1), Misrepresentation in Obtaining or Renewing License. For this, you shall be publicly reprimanded, and you shall pay a fine of five hundred dollars (\$500.00) as well as the Board's fees and costs incurred in the investigation and prosecution of this matter. Further, you shall take two (2) hours of continuing medical education (CME) relating to ethics or professionalism in addition to any regular CME hours imposed upon you as a condition of licensure in the State of Nevada.

Accordingly, it is my unpleasant duty as President of the Board to formally and publicly reprimand you for your conduct which has brought professional disrespect upon you and which reflects unfavorably upon the medical profession as a whole.

Sincerely,

Victor M. Muro, M.D., President  
Nevada State Board of Medical Examiners

March 4, 2022

Gregory Gene Eyre, M.D.  
414 Fernando St., NE  
Grand Rapids, MI 49505

**Re: In the Matter of Charges and Complaint  
Against Gregory Gene Eyre, M.D.  
BME Case No. 20-28184-1**

Dr. Eyre:

On March 4, 2022, the Nevada State Board of Medical Examiners (Board) found by preponderance of the evidence, that you committed one (1) violation of the Medical Practice Act, NRS 630.301(3), Disciplinary Action by Another State Medical Board, as alleged in the formal Complaint filed against you in the aforementioned case.

The Board ordered as follows: your license to practice medicine in the State of Nevada is revoked and you may not reapply for licensure in the State of Nevada for one (1) year.

Accordingly, it is my unpleasant duty as President of the Board to formally and publicly reprimand you for your conduct which has brought professional disrespect upon you and which reflects unfavorably upon the medical profession as a whole.

Sincerely,

Victor M. Muro, M.D., President  
Nevada State Board of Medical Examiners

June 16, 2022

Robert Stephen Fredericks, M.D.  
c/o Jeremy R. Reichenberg, Esq.  
Gunderson Law Firm  
3895 Warren Way  
Reno, NV 89509

**Re: In the Matter of Charges and Complaint  
Against Robert Stephen Fredericks, M.D.  
NSBME Case No. 22-5901-1**

Dr. Fredericks:

On June 10, 2022, the Nevada State Board of Medical Examiners (Board) accepted the Settlement Agreement (Agreement) between you and the Board's Investigative Committee in relation to the formal Complaint filed against you in the aforementioned case.

In accordance with its acceptance of the Agreement, the Board entered an Order finding you violated Count I, violation of NRS 630.3062(1)(h), Unauthorized and Inappropriate Prescribing of a Controlled

Substance Listed in Schedule II, III, or IV, and Count II, violation of NRS 630.3062(1)(g), Failure to Comply with Requirements of NRS 639.23507. For this, you shall be publicly reprimanded, pay a fine of two thousand five hundred dollars (\$2,500.00); complete twenty-one (21) hours of Continuing Medical Education (CME) regarding best practices in prescribing of controlled substances, in addition to your statutory CME requirements to maintain licensure in the State of Nevada; and you shall reimburse the Board's fees and costs incurred in the investigation and prosecution of the case against you. Additionally, for a period of three (3) years, you shall specifically comply with all laws pertaining to the dispensing, prescribing or administration of controlled substances and dangerous drugs, including, but not limited to, the requirements of NRS 453.163, 453.164, 453.226, 639.23507, 639.23535 and 639.2391 through 639.23916, inclusive, and any regulations adopted by the Nevada State Board of Pharmacy pursuant thereto, and you shall specifically comply with the requirements of NRS 630.306(1)(f), and in so doing, you shall not perform any procedure or prescribe any therapy which, by the current standards of practice of medicine, is experimental without first obtaining the informed consent of the patient or the patient's family.

Accordingly, it is my unpleasant duty as President of the Board to formally and publicly reprimand you for your conduct which has brought professional disrespect upon you and which reflects unfavorably upon the medical profession as a whole.

Sincerely,

Victor M. Muro, M.D., President  
Nevada State Board of Medical Examiners

June 16, 2022

Julio Luis Garcia, M.D.  
c/o John Hunt, Esq.  
Clark Hill LLP  
3800 Howard Hughes Parkway, Suite 500  
Las Vegas, NV 89169

**Re: In the Matter of Charges and Complaint  
Against Julio Luis Garcia, M.D.  
NSBME Case No. 22-9968-1**

Dr. Garcia:

On June 10, 2022, the Nevada State Board of Medical Examiners (Board) accepted the

Continued on page 17

Settlement Agreement (Agreement) between you and the Board's Investigative Committee in relation to the formal Complaint filed against you in the aforementioned case.

In accordance with its acceptance of the Agreement, the Board entered an Order finding you violated all Counts in the Complaint, violations of NRS 630.305(1)(e) Aiding in the Unlicensed Practice of Medicine; NRS 630.306(1)(u) Unlawful Injection of Botox and Dermal Fillers, NRS 630.306(1)(b)(3) Engaging in Conduct that Violated Pharmacy Board Regulations, and NRS 630.306(1)(p) Unsafe or Unprofessional Conduct. For this, you shall be publicly reprimanded, pay a fine in the amount of ten thousand dollars (\$10,000.00); you must complete twenty-two (22) hours of Continuing Medical Education (CME) regarding medical ethics or professionalism, in addition to any statutory CME requirements to maintain licensure in the State of Nevada; submit to and pass all sections of an Ethics and Boundaries Assessment Services (EBAS) examination; and reimburse the Board's fees and costs incurred in the investigation and prosecution of the case against you.

Accordingly, it is my unpleasant duty as President of the Board to formally and publicly reprimand you for your conduct which has brought professional disrespect upon you and which reflects unfavorably upon the medical profession as a whole.

Sincerely,

Victor M. Muro, M.D., President  
Nevada State Board of Medical Examiners

June 16, 2022

Elena Geraymovych, M.D.  
c/o Lyn E. Beggs, Esq.  
Law Office of Lyn E. Beggs  
316 California Ave., #863  
Reno, NV 89509

**Re: In the Matter of Charges and Complaint Against Elena Geraymovych, M.D.  
NSBME Case No. 22-46417-1**

Dr. Geraymovych:

On June 10, 2022, the Nevada State Board of Medical Examiners (Board) accepted the Settlement Agreement (Agreement) between you and the Board's Investigative Committee in relation to the formal Complaint filed against you in the aforementioned case.

In accordance with its acceptance of the Agreement, the Board entered an Order finding you violated Count I, violation of NRS 630.306(1)(b)(2), Violation of Standards of Practice Established by Regulation. For this, you shall be publicly reprimanded, and you shall pay a fine of one thousand dollars (\$1,000.00), as well as the Board's fees and costs incurred in the investigation and prosecution of this matter. Further, you shall take four (4) hours of continuing medical education (CME) related to risk assessment (in general and for assessing glaucoma), in addition to any regular CME hours imposed upon you as a condition of licensure in the State of Nevada.

Accordingly, it is my unpleasant duty as President of the Board to formally and publicly reprimand you for your conduct which has brought professional disrespect upon you and which reflects unfavorably upon the medical profession as a whole.

Sincerely,

Victor M. Muro, M.D., President  
Nevada State Board of Medical Examiners

June 20, 2022

Randi Fultz Grinsell, M.D.  
c/o Chelsea Hueth, Esq.  
McBride Hall  
8329 West Sunset Road, Suite 260  
Las Vegas, NV 89113

**Re: In the Matter of Charges and Complaint Against Randi Fultz Grinsell, M.D.  
NSBME Case No. 21-27634-1**

Dr. Grinsell:

On June 10, 2022, the Nevada State Board of Medical Examiners (Board) accepted the Settlement Agreement (Agreement) between you and the Board's Investigative Committee in relation to the formal Complaint filed against you in the aforementioned case.

In accordance with its acceptance of the Agreement, the Board entered an Order finding you violated Count I, one (1) violation of NRS 630.301(4), Malpractice. For this, you shall be publicly reprimanded, and you shall pay a fine of one thousand five hundred dollars (\$1,500.00), as well as the Board's fees and costs incurred in the investigation and prosecution of this matter. Further, you shall take three (3) hours of continuing medical

education (CME) related to communication with patients and/or relaying testing results to patients in a timely manner, in addition to any regular CME hours imposed upon you as a condition of licensure in the State of Nevada.

Accordingly, it is my unpleasant duty as President of the Board to formally and publicly reprimand you for your conduct which has brought professional disrespect upon you and which reflects unfavorably upon the medical profession as a whole.

Sincerely,

Victor M. Muro, M.D., President  
Nevada State Board of Medical Examiners

June 16, 2022

Kim Marie Hiatt, M.D.  
c/o Edward J. Lemons, Esq.  
6005 Plumas Street, Third Floor  
Reno, NV 89519

**Re: In the Matter of Charges and Complaint Against Kim Marie Hiatt, M.D.  
NSBME Case No. 22-43341-1**

Dr. Hiatt:

On June 10, 2022, the Nevada State Board of Medical Examiners (Board) accepted the Settlement Agreement (Agreement) between you and the Board's Investigative Committee in relation to the formal Complaint filed against you in the aforementioned case.

In accordance with its acceptance of the Agreement, the Board entered an Order finding you violated NRS 630.301(3), Disciplinary Action by Another State Medical Board (Count I), and NRS 630.306(1)(k), Failure to Report Disciplinary Action (Count II). For this, you shall be publicly reprimanded, and you shall pay the costs incurred in the investigation and prosecution of this matter.

Accordingly, it is my unpleasant duty as President of the Board to formally and publicly reprimand you for your conduct which has brought professional disrespect upon you and which reflects unfavorably upon the medical profession as a whole.

Sincerely,

Victor M. Muro, M.D., President  
Nevada State Board of Medical Examiners

Continued on page 18

June 16, 2022

Todd Lincoln Jackson, M.D.  
c/o Michelle R. Schwartz, Esq.  
Hall, Jaffe & Clayton, LLP  
7425 Peak Drive  
Las Vegas, NV 89128

**Re: In the Matter of Charges and Complaint  
Against Todd Lincoln Jackson, M.D.  
NSBME Case No. 22-36323-1**

Dr. Jackson:

On June 10, 2022, the Nevada State Board of Medical Examiners (Board) accepted the Settlement Agreement (Agreement) between you and the Board's Investigative Committee in relation to the formal Complaint filed against you in the aforementioned case.

In accordance with its acceptance of the Agreement, the Board entered an Order finding you violated Count I, violation of NRS 630.301(4), Malpractice. For this, you shall be publicly reprimanded, and you shall pay a fine of one thousand dollars (\$1,000.00) and pay the Board's fees and costs incurred in the investigation and prosecution of this matter.

Accordingly, it is my unpleasant duty as President of the Board to formally and publicly reprimand you for your conduct which has brought professional disrespect upon you and which reflects unfavorably upon the medical profession as a whole.

Sincerely,

Victor M. Muro, M.D., President  
Nevada State Board of Medical Examiners

June 20, 2022

Jeffrey Loren Johnson, M.D.  
c/o Nausheen Peters, Esq.  
Lewis Brisbois  
6385 S. Rainbow Blvd., Suite 600  
Las Vegas, NV 89118

**Re: In the Matter of Charges and Complaint  
Against Jeffrey Loren Johnson, M.D.  
NSBME Case No. 21-10772-1**

Dr. Johnson:

On June 10, 2022, the Nevada State Board of Medical Examiners (Board) accepted the Settlement Agreement (Agreement) between you and the Board's Investigative Committee in relation to the formal Complaint filed against you in the aforementioned case.

In accordance with its acceptance of the Agreement, the Board entered an Order finding you violated Count I, violation of NRS 630.301(4), Malpractice. For this, you shall be publicly reprimanded, and you shall pay a fine of two thousand five hundred dollars (\$2,500.00) and pay the Board's fees and costs incurred in the investigation and prosecution of this matter. Further, you shall take fifteen (15) hours of continuing medical education in diagnostic radiology (CME), in addition to any regular CME hours imposed upon you as a condition of licensure in the State of Nevada.

Accordingly, it is my unpleasant duty as President of the Board to formally and publicly reprimand you for your conduct which has brought professional disrespect upon you and which reflects unfavorably upon the medical profession as a whole.

Sincerely,

Victor M. Muro, M.D., President  
Nevada State Board of Medical Examiners

March 4, 2022

Rajeev Sharad Khamamkar, M.D.  
c/o Maria Nutile, Esq.  
7395 S. Pecos Road., Suite 103  
Las Vegas, NV 89120

**Re: In the Matter of Charges and Complaint  
Rajeev Sharad Khamamkar, M.D.  
BME Case Nos. 21-12218-1 and 21-12218-2**

Dr. Khamamkar:

On March 4, 2022, the Nevada State Board of Medical Examiners (Board) accepted the Settlement Agreement (Agreement) between you and the Board's Investigative Committee in relation to the formal Complaint filed against you in the aforementioned cases.

In accordance with its acceptance of the Agreement, the Board entered an Order finding:

In the Complaint filed in case number 21-12218-1, you violated Count I, a violation of NRS 630.305(1)(d), Charging for Services Not Rendered, Count II, violation of NAC 630.230, Falsifying Medical Records, and violation of NRS 630.301(7), Violating the Trust of a Patient for Financial Gain.

In the Complaint filed in case number 21-12218-2, you violated Count I, a violation of NRS 630.3062(1)(e), Failure to Report

Sanction Reportable to the National Practitioner Data Bank (NPDB).

For these violations, you shall be publicly reprimanded and shall pay a fine of six thousand dollars (\$6,000.00). You shall also pay the Board's fees and costs incurred in the investigation and prosecution of this matter. Additionally, you shall complete twenty-two (22) hours of continuing medical education (CME) regarding medical ethics and professionalism. These CME requirements shall be in addition to any CME requirements that are regularly imposed upon you as a condition of licensure in the State of Nevada and shall be approved by the Board to meet this requirement prior to their completion. Moreover, you shall submit to an ethics and boundaries assessment (EBAS) examination, which shall be paid for at your expense.

Accordingly, it is my unpleasant duty as President of the Board to formally and publicly reprimand you for your conduct which has brought professional disrespect upon you and which reflects unfavorably upon the medical profession as a whole.

Sincerely,

Victor M. Muro, M.D., President  
Nevada State Board of Medical Examiners

March 4, 2022

Ali Kia, M.D.  
c/o Linda K. Rurangirwa, Esq.  
Collinson, Daehnke, Inlow & Greco  
2110 E. Flamingo Rd., Suite 212  
Las Vegas, NV 89119

**Re: In the Matter of Charges and Complaint  
Against Ali Kia, M.D.  
BME Case No. 21-27978-1**

Dr. Kia:

On March 4, 2022, the Nevada State Board of Medical Examiners (Board) accepted the Settlement Agreement (Agreement) between you and the Board's Investigative Committee in relation to the formal Complaint filed against you in the aforementioned case.

In accordance with its acceptance of the Agreement, the Board entered an Order finding you violated Count II of the First Amended Complaint, violation of NRS 630.306(1)(b)(2) Violation of Standards of Practice Established by Regulation – Failure to Consult. For this, you shall be publicly

Continued on page 19

reprimanded, and you shall pay the Board's fees and costs incurred in the investigation and prosecution of this matter. Further, you shall take six (6) hours of continuing medical education (CME) related to the hospitalist role in addition to any regular CME hours imposed upon you as a condition of licensure in the State of Nevada.

Accordingly, it is my unpleasant duty as President of the Board to formally and publicly reprimand you for your conduct which has brought professional disrespect upon you and which reflects unfavorably upon the medical profession as a whole.

Sincerely,

Victor M. Muro, M.D., President  
Nevada State Board of Medical Examiners

March 4, 2022

Jessica Gordon Kingsberg, M.D.  
c/o Edward J. Lemons, Esq.  
Lemons Grundy Eisenberg  
6005 Plumas Street, Third Floor  
Reno, NV 89519

**Re: In the Matter of Charges and Complaint  
Against Jessica Gordon Kingsberg, M.D.  
BME Case No. 21-45789-1**

Dr. Kingsberg:

On March 4, 2022, the Nevada State Board of Medical Examiners (Board) accepted the Settlement Agreement (Agreement) between you and the Board's Investigative Committee in relation to the formal Complaint filed against you in the aforementioned case.

In accordance with its acceptance of the Agreement, the Board entered an Order finding you violated Count I, violation of NRS 630.301(4) Malpractice. For this, you shall pay a fine of one thousand five hundred dollars (\$1,500) as well as the Board's fees and costs incurred in the investigation and prosecution of this matter. Further, you shall take four (4) hours of continuing medical education (CME) related to record keeping and four (4) hours related to surgical procedures in addition to any regular CME hours imposed upon you as a condition of licensure in the State of Nevada.

Accordingly, it is my unpleasant duty as President of the Board to formally and publicly reprimand you for your conduct

which has brought professional disrespect upon you and which reflects unfavorably upon the medical profession as a whole.

Sincerely,

Victor M. Muro, M.D., President  
Nevada State Board of Medical Examiners

March 4, 2022

Christina Lynne Kushnir, M.D.  
c/o Sean Kelly, Esq.  
McBride Hall  
8329 W. Sunset Road, Suite 260  
Las Vegas, NV 89113

**Re: In the Matter of Charges and Complaint  
Against Christina Lynne Kushnir  
BME Case No. 19-32717-1**

Dr. Kushnir:

On March 4, 2022, the Nevada State Board of Medical Examiners (Board) accepted the Settlement Agreement (Agreement) between you and the Board's Investigative Committee in relation to the formal Complaint filed against you in the aforementioned case.

In accordance with its acceptance of the Agreement, the Board entered an Order finding you violated Count I, violation of NRS 630.3062(1)(a) Failure to Maintain Complete Medical Records. For this, you shall be publicly reprimanded, and you shall pay the Board's fees and costs incurred in the investigation and prosecution of this matter. Further, you shall take six (6) hours of continuing medical education (CME) related to documentation and recordkeeping in addition to any regular CME hours imposed upon you as a condition of licensure in the State of Nevada.

Accordingly, it is my unpleasant duty as President of the Board to formally and publicly reprimand you for your conduct which has brought professional disrespect upon you and which reflects unfavorably upon the medical profession as a whole.

Sincerely,

Victor M. Muro, M.D., President  
Nevada State Board of Medical Examiners

March 4, 2022

Victor David Ludlow, M.D.  
c/o Keith Weaver, Esq. and  
Nausheen Peters, Esq.  
Lewis Brisbois Bisgaard & Smith  
6385 S. Rainbow Blvd., Suite 600  
Las Vegas, NV 89148

**Re: In the Matter of Charges and Complaint  
Against David Victor Ludlow, M.D.  
BME Case No. 21-42222-1**

Dr. Ludlow:

On March 4, 2022, the Nevada State Board of Medical Examiners (Board) accepted the Settlement Agreement (Agreement) between you and the Board's Investigative Committee in relation to the formal Complaint filed against you in the aforementioned case.

In accordance with its acceptance of the Agreement, the Board entered an Order finding you violated Count II of the Complaint, violation of NRS 630.3062(1)(a) Failure to Maintain Proper Medical Records. For this, you shall be publicly reprimanded, and you shall pay a fine of two thousand five hundred dollars (\$2,500) as well as the Board's fees and costs incurred in the investigation and prosecution of this matter. Further, you shall take twenty (20) hours of continuing medical education (CME) related to best practices in prescribing controlled substances in addition to any regular CME hours imposed upon you as a condition of licensure in the State of Nevada.

Accordingly, it is my unpleasant duty as President of the Board to formally and publicly reprimand you for your conduct which has brought professional disrespect upon you and which reflects unfavorably upon the medical profession as a whole.

Sincerely,

Victor M. Muro, M.D., President  
Nevada State Board of Medical Examiners

March 4, 2022

Vidur Siddhant Mahadeva, M.D.  
556 Vine Street  
Reno, NV 89503

**Re: In the Matter of Charges and Complaint  
Against Vidur Siddhant Mahadeva, M.D.  
BME Case No. 21-25208-1**

Continued on page 20

Dr. Mahadeva:

On March 4, 2022, the Nevada State Board of Medical Examiners (Board) accepted the Settlement Agreement (Agreement) between you and the Board's Investigative Committee in relation to the formal Complaint filed against you in the aforementioned case.

In accordance with its acceptance of the Agreement, the Board entered an Order finding you violated Count I, violation of NRS 630.306(1)(b)(3) Engaging in Conduct in Violation of Regulations (NAC 639.282(1)(d), NAC 639.601(1), and NAC 639.742) adopted by the State Board of Pharmacy and Count II, violation of NRS 630.306(1)(b)(3) Engaging in Conduct in Violation of Regulations (NAC 639.945(l)(i)) Adopted by the State Board of Pharmacy. For this, you shall be publicly reprimanded, and shall pay a fine of one thousand five hundred dollars (\$1,500) as well as the Board's fees and costs incurred in the investigation and prosecution of this matter.

Accordingly, it is my unpleasant duty as President of the Board to formally and publicly reprimand you for your conduct which has brought professional disrespect upon you and which reflects unfavorably upon the medical profession as a whole.

Sincerely,

Victor M. Muro, M.D., President  
Nevada State Board of Medical Examiners

June 16, 2022

Alexander Norton, Jr., M.D.  
c/o Patricia E. Daehnke, Esq.  
2110 E. Flamingo Road, Suite 212  
Las Vegas, NV 89119

**Re: In the Matter of Charges and Complaint  
Against Alexander Norton, Jr., M.D.  
NSBME Case No. 21-27350-1**

Dr. Norton:

On June 10, 2022, the Nevada State Board of Medical Examiners (Board) accepted the Settlement Agreement (Agreement) between you and the Board's Investigative Committee in relation to the formal Complaint filed against you in the aforementioned case.

In accordance with its acceptance of the Agreement, the Board entered an Order finding you violated Count I, violation of

NRS 630.301(4), Malpractice. For this, you shall be publicly reprimanded, and you shall pay a fine of one thousand five hundred dollars (\$1,500.00) and pay the Board's fees and costs incurred in the investigation and prosecution of this matter.

Accordingly, it is my unpleasant duty as President of the Board to formally and publicly reprimand you for your conduct which has brought professional disrespect upon you and which reflects unfavorably upon the medical profession as a whole.

Sincerely,

Victor M. Muro, M.D., President  
Nevada State Board of Medical Examiners

June 20, 2022

Byron Leonard Perkinson, M.D.  
c/o Lyn E. Beggs, Esq.  
Law Offices of Lyn E. Beggs PLLC  
316 California Ave., #863  
Reno, NV 89509

**Re: In the Matter of Charges and Complaint  
Against Byron Leonard Perkinson, M.D.  
NSBME Case No. 22-39567-1**

Dr. Perkinson:

On June 10, 2022, the Nevada State Board of Medical Examiners (Board) accepted the Settlement Agreement (Agreement) between you and the Board's Investigative Committee in relation to the formal Complaint filed against you in the aforementioned case.

In accordance with its acceptance of the Agreement, the Board entered an Order finding you violated Count I, violation of NRS 630.306(1)(b)(3), Violation of Statutes and Regulation of the Nevada State Board of Pharmacy, and Count II, violation of NRS 630.306(1)(b)(2) Violation of the Standards of Practice. For this, you shall be publicly reprimanded, and you shall pay the Board's fees and costs incurred in the investigation and prosecution of this matter. Further, you shall take twenty (20) hours of continuing medical education (CME) related to best practices and tools for prescribing of controlled substances, in addition to any regular CME hours imposed upon you as a condition of licensure in the State of Nevada.

Accordingly, it is my unpleasant duty as President of the Board to formally and publicly reprimand you for your conduct which has brought professional disrespect

upon you and which reflects unfavorably upon the medical profession as a whole.

Sincerely,

Victor M. Muro, M.D., President  
Nevada State Board of Medical Examiners

June 20, 2022

Ravi Swaminathan Ramanathan, M.D.  
c/o John A. Hunt, Esq.  
Clark Hill PLLC  
3800 Howard Hughes Parkway, Suite 500  
Las Vegas, NV 89169

**Re: In the Matter of Charges and Complaint  
Against Ravi Swaminathan Ramanathan, M.D.,  
NSBME Case No. 21-11844-1**

Dr. Ramanathan:

On June 10, 2022, the Nevada State Board of Medical Examiners (Board) accepted the Settlement Agreement (Agreement) between you and the Board's Investigative Committee in relation to the formal Complaint filed against you in the aforementioned case.

In accordance with its acceptance of the Agreement, the Board entered an Order finding you violated Count I, violation of NRS 630.306(1)(b)(3), Violation of Statutes and Regulation of the Nevada State Board of Pharmacy, and Count II, violation of NRS 630.306(1)(b)(2) Violation of the Standards of Practice. For this, you shall be publicly reprimanded, and you shall pay the Board's fees and costs incurred in the investigation and prosecution of this matter. Further, you shall take eight (8) hours of continuing medical education (CME) related to prescribing of controlled substances, in addition to any regular CME hours imposed upon you as a condition of licensure in the State of Nevada.

Accordingly, it is my unpleasant duty as President of the Board to formally and publicly reprimand you for your conduct which has brought professional disrespect upon you and which reflects unfavorably upon the medical profession as a whole.

Sincerely,

Victor M. Muro, M.D., President  
Nevada State Board of Medical Examiners

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March 4, 2022

Maria Corazon O. Regalado, M.D.  
Nutile Law  
c/o Bridget Kelly, J.D., M.S.  
7395 S. Pecos Rd., Suite 103  
Las Vegas, NV 89120

**Re: In the Matter of Charges and Complaint  
Against Maria Corazon O. Regalado, M.D.  
BME Case No. 21-12597-1**

Dr. Regalado:

On March 4, 2022, the Nevada State Board of Medical Examiners (Board) accepted the Settlement Agreement (Agreement) between you and the Board's Investigative Committee in relation to the formal Complaint filed against you in the aforementioned case.

In accordance with its acceptance of the Agreement, the Board entered an Order finding you violated Count II and IV of the Complaint, violations of NRS 630.306(1)(b)(2), Violations of Standards of Practice, and admits to Counts III, V, and VIII, three violations of NRS 630.3062(1)(a), Failure to Maintain Complete Medical Records. For this, you shall be publicly reprimanded, and your license to practice medicine shall be placed on probation for a period of forty-eight (48) months. Additionally, you shall pay a fine of five thousand dollars (\$5,000) as well as the Board's fees and costs incurred in the investigation and prosecution of this matter.

Further, you shall take twenty-one (21) hours of continuing medical education (CME) regarding best practices for prescribing controlled substances, pain management and addiction. You shall also take an additional seventeen (17) hours of CME regarding best practices in medical recordkeeping. You shall take ten (10) hours of CME regarding best practices in hospice and palliative care. All previously mentioned CMEs shall be taken in addition to any regular CME hours imposed upon you as a condition of licensure in the State of Nevada.

Accordingly, it is my unpleasant duty as President of the Board to formally and publicly reprimand you for your conduct which has brought professional disrespect upon you and which reflects unfavorably upon the medical profession as a whole.

Sincerely,

Victor M. Muro, M.D., President  
Nevada State Board of Medical Examiners

March 4, 2022

William Douglas Smith, M.D.  
c/o Nausheen Peters, Esq.  
6385 South Rainbow Blvd., Suite 600  
Las Vegas, NV 89118

**Re: In the Matter of Charges and Complaint  
Against William Douglas Smith, M.D.  
BME Case Nos. 20-11398-1 and 21-11398-1**

Dr. Smith:

On March 4, 2022, the Nevada State Board of Medical Examiners (Board) accepted the Settlement Agreement (Agreement) between you and the Board's Investigative Committee in relation to the formal Complaint filed against you in the aforementioned case.

In accordance with its acceptance of the Agreement, the Board entered an Order finding you violated, in NSBME Case No. 20-11398-1 and Case No. 21-11398-1: Count I, violation of NRS 630.301(4) Malpractice; Count II, violation of NRS 630.3062(1)(a) Failure to Maintain Complete Medical Records; and Count III, violation of NRS 630.306(1)(b)(2), Violation of Standards of Practice Established by Regulation. For this, you shall be publicly reprimanded. You have agreed to surrender your license to practice medicine in the State of Nevada and may not reapply for licensure in the State of Nevada for three (3) years.

Accordingly, it is my unpleasant duty as President of the Board to formally and publicly reprimand you for your conduct which has brought professional disrespect upon you and which reflects unfavorably upon the medical profession as a whole.

Sincerely,

Victor M. Muro, M.D., President  
Nevada State Board of Medical Examiners

March 4, 2022

Ippei Takagi, M.D.  
c/o Edward J. Lemons, Esq.  
Lemons Grundy Eisenberg  
6005 Plumas Street, Third Floor  
Reno, NV 89519

**Re: In the Matter of Charges and Complaint  
Against Ippei Takagi, M.D.  
BME Case No. 21-42975-1**

Dr. Takagi:

On March 4, 2022, the Nevada State Board of Medical Examiners (Board) accepted the

Settlement Agreement (Agreement) between you and the Board's Investigative Committee in relation to the formal Complaint filed against you in the aforementioned case.

In accordance with its acceptance of the Agreement, the Board entered an Order finding you violated Count III, violation of NRS 630.301(4) Malpractice. For this, you shall be publicly reprimanded, you shall pay a fine of five thousand dollars (\$5,000) as well as the Board's fees and costs incurred in the investigation and prosecution of this matter. Further, you agree to keep your license in "inactive" status through June 30, 2023. On July 1, 2023, your license will expire and you have agreed not to request a reinstatement during the reinstatement period of July 1, 2023 through June 30, 2025. Should you choose to reapply for licensure on or after July 1, 2025 you will be required to undergo a fitness for practice evaluation at your own expense and appear at a regularly scheduled Board meeting for review and consideration of your application, as well as meet any requirements for licensure in place at that time.

Accordingly, it is my unpleasant duty as President of the Board to formally and publicly reprimand you for your conduct which has brought professional disrespect upon you and which reflects unfavorably upon the medical profession as a whole.

Sincerely,

Victor M. Muro, M.D., President  
Nevada State Board of Medical Examiners

June 20, 2022

Karen Marie Tierney, M.D.  
c/o Lyn E. Beggs, Esq.  
Law Offices of Lyn E. Beggs PLLC  
316 California Ave., #863  
Reno, NV 89509

**Re: In the Matter of Charges and Complaint  
Against Karen Marie Tierney, M.D.  
NSBME Case No. 22-19851-1**

Dr. Tierney:

On June 10, 2022, the Nevada State Board of Medical Examiners (Board) accepted the Settlement Agreement (Agreement) between you and the Board's Investigative Committee in relation to the formal Complaint filed against you in the aforementioned case.

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In accordance with its acceptance of the Agreement, the Board entered an Order finding you violated Count I, violation of NRS 630.301(3) Disciplinary Action by Another Licensing Board. For this, you shall be publicly reprimanded, and you shall pay the Board's fees and costs incurred in the investigation and prosecution of this matter. Further, you shall provide confirmation of completion of courses for best practices for prescribing of controlled substances and recordkeeping as required by the California State Medical Board. You shall not supervise any physician assistants or advanced estheticians, nor collaborate with any advanced nurse practitioners in the State of Nevada through and including February 3, 2023. Additionally, you shall provide proof of successful completion of probation with the California State Medical Board within sixty (60) days of February 3, 2023.

Accordingly, it is my unpleasant duty as President of the Board to formally and publicly reprimand you for your conduct which has brought professional disrespect upon you and which reflects unfavorably upon the medical profession as a whole.

Sincerely,

Victor M. Muro, M.D., President  
Nevada State Board of Medical Examiners

March 4, 2022

Kelly James Turner, M.D.  
10232 Lilac Road  
Oak Hills, CA 92344

**Re: In the Matter of Charges and Complaint  
Against Kelly James Turner, M.D.  
BME Case No. 21-47802-1**

Dr. Turner:

On March 4, 2022, the Nevada State Board of Medical Examiners (Board) accepted the Settlement Agreement (Agreement) between you and the Board's Investigative Committee in relation to the formal Complaint filed against you in the aforementioned case.

In accordance with its acceptance of the Agreement, the Board entered an Order finding you violated Count I, violation of NRS 630.301(3), Out of State Discipline. For this, you shall be publicly reprimanded, and you shall pay a fine of five hundred (\$500) as well as the Board's fees and costs incurred in the investigation and prosecution of this

matter. Prior to changing your license to an "active" status, you will undergo a fitness for duty evaluation and appear before the Board to ensure that any recommendations from that evaluation are implemented. After your license is changed to "active" status, your license is subject to a term of probation for a period not to exceed thirty-six (36) months from the date of the Board's acceptance, adoption and approval of the settlement agreement (Probationary Period). During the Probationary Period, you shall successfully complete all requirements and comply with all Orders, past and future, of the Texas Medical Board. Further, during the Probationary Period, you shall not supervise any physician assistant nor collaborate with any Advanced Practice Registered Nurse in the State of Nevada.

Accordingly, it is my unpleasant duty as President of the Board to formally and publicly reprimand you for your conduct which has brought professional disrespect upon you and which reflects unfavorably upon the medical profession as a whole.

Sincerely,

Victor M. Muro, M.D., President  
Nevada State Board of Medical Examiners

March 4, 2022

Charles Patrick Virden, M.D.  
c/o Lyn E. Beggs, Esq.  
316 California Ave., Suite 863  
Reno, NV 89509

**Re: In the Matter of Charges and Complaint  
Against Charles Patrick Virden, M.D.  
BME Case No. 21-10736-1**

Dr. Virden:

On March 4, 2022, the Nevada State Board of Medical Examiners (Board) accepted the Settlement Agreement (Agreement) between you and the Board's Investigative Committee in relation to the formal Complaint filed against you in the aforementioned case.

In accordance with its acceptance of the Agreement, the Board entered an Order finding you violated Counts I-XV, violations of NRS 630.301(4) Malpractice. For this, you shall be publicly reprimanded, and your license to practice medicine shall be placed on probation for a period of forty-eight (48) months (Probationary Period). During the Probationary Period you shall not inject liquid

silicone into any human body for purposes other than the treatment of retinal detachment, you shall not purchase possess or acquire liquid silicone, you shall immediately forfeit any liquid silicone now in your possession. Additionally, you shall pay a fine of ten thousand dollars (\$10,000) as well as the Board's fees and costs incurred in the investigation and prosecution of this matter. Further, you shall submit and pass an Ethics and Boundaries Assessment Services (EBAS) examination and take twenty-two (22) hours of continuing medical education (CME) regarding medical ethics and professionalism in addition to any regular CME hours imposed upon you as a condition of licensure in the State of Nevada.

Accordingly, it is my unpleasant duty as President of the Board to formally and publicly reprimand you for your conduct which has brought professional disrespect upon you and which reflects unfavorably upon the medical profession as a whole.

Sincerely,

Victor M. Muro, M.D., President  
Nevada State Board of Medical Examiners

March 4, 2022

Adelbert Scott Wadsworth, PA-C  
c/o Lynn Rivera, Esq.  
Resnick & Louis, P.C.  
8925 W. Russel Road, Suite 220  
Las Vegas, NV 89148

**Re: In the Matter of Charges and Complaint  
Against Adelbert Scott Wadsworth, PA-C  
BME Case No. 21-41170-1**

Mr. Wadsworth:

On March 4, 2022, the Nevada State Board of Medical Examiners (Board) accepted the Settlement Agreement (Agreement) between you and the Board's Investigative Committee in relation to the formal Complaint filed against you in the aforementioned case.

In accordance with its acceptance of the Agreement, the Board entered an Order finding you violated Count I, violation of NRS 630.380(1)(c), Performance of Medical Services Without a Supervising Physician, and Count II of the Complaint, violation of NRS 630.3062(1)(a), Failure to Maintain Proper Medical Records. For this, you shall pay a fine of one thousand dollars (\$1,000) as

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well as the Board's fees and costs incurred in the investigation and prosecution of this matter.

Accordingly, it is my unpleasant duty as President of the Board to formally and publicly reprimand you for your conduct which has brought professional disrespect upon you and which reflects unfavorably upon the medical profession as a whole.

Sincerely,

Victor M. Muro, M.D., President  
Nevada State Board of Medical Examiners

June 16, 2022

Nayab Mohammad Zafar, M.D.  
c/o Kristan E. Lehtinen, Esq.  
Alverson Taylor & Sanders  
6605 Grand Montecito Parkway, Suite 200  
Las Vegas, NV 89149

**Re: In the Matter of Charges and Complaint  
Against Nayab Mohammad Zafar, M.D.  
NSBME Case No. 22-34257-1**

Dr. Zafar:

On June 10, 2022, the Nevada State Board of Medical Examiners (Board) accepted the Settlement Agreement (Agreement) between you and the Board's Investigative Committee in relation to the formal Complaint filed against you in the aforementioned case.

In accordance with its acceptance of the Agreement, the Board entered an Order finding you violated Count I, violation of NRS 630.301(4), Malpractice. For this, you shall be publicly reprimanded, and you shall pay a fine of one thousand five hundred dollars (\$1,500.00) as well as the Board's fees and costs incurred in the investigation and prosecution of this matter.

Accordingly, it is my unpleasant duty as President of the Board to formally and publicly reprimand you for your conduct which has brought professional disrespect upon you and which reflects unfavorably upon the medical profession as a whole.

Sincerely,

Victor M. Muro, M.D., President  
Nevada State Board of Medical Examiners

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NEVADA STATE BOARD OF MEDICAL EXAMINERS

9600 Gateway Drive

Reno, NV 89521