

COPY

BEFORE THE BOARD OF MEDICAL EXAMINERS OF THE STATE OF NEVADA

* * * * *

1 **In The Matter of Charges and**)
 2)
 3 **Complaint Against**)
 4)
 5 **KOUSSAY ZARKA, M.D.,**)
 6)
 7 **Respondent.**)
 8)
 9)

Case No. 09-5622-1

FILED

JUL 10 2009

NEVADA STATE BOARD OF
MEDICAL EXAMINERS

COMPLAINT

10
 11
 12 The Investigative Committee (IC) of the Nevada State Board of Medical Examiners,
 13 composed of Sohail U. Anjum, M.D., S. Daniel McBride, M.D., and Mr. Van V. Hefner, by and
 14 through Edward Cousineau, General Counsel for the Nevada State Board of Medical Examiners,
 15 having a reasonable basis to believe that Koussay Zarka, M.D., hereinafter referred to as
 16 "Respondent," has violated the provisions of NRS Chapter 630, hereby issues its formal Complaint,
 17 stating the Investigative Committee's charges and allegations, as follows:

18 1. Respondent is licensed in active status to practice medicine in the state of Nevada,
 19 and at all times alleged herein, was so licensed by the Nevada State Board of Medical Examiners,
 20 pursuant to the provisions of Chapter 630 of the Nevada Revised Statutes.

21 2. Patient A, a male, whose true identity is not disclosed herein to protect his
 22 privacy, but is disclosed in the Patient Designation served on Respondent along with a copy of
 23 this Complaint.

24 3. Patient B, a female, whose true identity is not disclosed herein to protect her
 25 privacy, but is disclosed in the Patient Designation served on Respondent along with a copy of
 26 this Complaint.

27 4. Between July of 2007 and August of 2008, Respondent wrote at least six
 28 prescriptions for medications that were dispensed to Patient A. In response to the underlying

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1105 Terminal Way #301
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1 investigation by the IC, Respondent admitted that he had no medical records to support the
2 prescriptions provided to Patient A.

3 5. Between August of 2005 and April of 2007, Respondent wrote at least seven
4 prescriptions for medications that were dispensed to Patient B. In response to the underlying
5 investigation by the IC, Respondent denied ever treating Patient B, and therefore, had no medical
6 records to support the prescriptions provided to Patient B.

7 6. Section 630.3062(1) of the Nevada Revised Statutes (NRS) provides that failure to
8 maintain timely, legible, accurate and complete medical records relating to the diagnosis,
9 treatment and care of a patient, is grounds for initiating disciplinary action.

10 7. Respondent violated NRS 630.3062(1) when he failed to maintain medical records
11 related to the prescriptions provided to Patients A and B and is subject to discipline by the Nevada
12 State Board of Medical Examiners as provided in NRS 630.352.

13 **WHEREFORE**, the Investigative Committee prays:

14 1. That the Nevada State Board of Medical Examiners fix a time and place for a formal
15 hearing;

16 2. That the Nevada State Board of Medical Examiners give Respondent notice of the
17 charges herein against him, the time and place set for the hearing, and the possible sanctions against
18 him;

19 3. That the Board determine what sanctions it deems appropriate to impose for the
20 violation committed by Respondent; and


21 4. That the Board make, issue and serve on Respondent its findings of facts,
22 conclusions of law and order, in writing, that includes the sanctions imposed.

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24 DATED this 10th day of July, 2009.

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By: 
Edward Cousineau
Attorney for the Investigative Committee of the
Nevada State Board of Medical Examiners

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VERIFICATION

STATE OF NEVADA)
 : ss.
COUNTY OF CLARK)

S. Daniel McBride, having been duly sworn, hereby deposes and states under penalty of perjury that he is a member of the Investigative Committee of the Nevada State Board of Medical Examiners that authorized the Complaint against the Respondent herein; that he has read the foregoing Complaint; and that based upon information discovered in the course of the investigation into a complaint against Respondent, he believes that the allegations and charges in the foregoing Complaint against Respondent are true, accurate, and correct.

Dated this 9th day of July, 2009.

S. Daniel McBride M.D.
S. Daniel McBride, M.D.

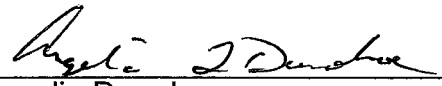
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CERTIFICATE OF MAILING

I hereby certify that I am employed by Nevada State Board of Medical Examiners and that on the 10th day of July 2009, I served a file copy of the COMPLAINT, a copy of the PATIENT DESIGNATION and a original copy of the SETTLEMENT, WAIVER AND CONSENT AGREEMENT along with fingerprinting information by mailing via USPS certified return receipt to the following:

Koussay Zarka, M.D.
2940 East Picasso Circle
Las Vegas, NV 89121

Dated this 10th day of July 2009.



Angelia Donohoe
Legal Assistant