

COPY

BEFORE THE BOARD OF MEDICAL EXAMINERS
OF THE STATE OF NEVADA

* * * * *

FILED

MAR 23 2009

NEVADA STATE BOARD OF
MEDICAL EXAMINERS
Case No. 09-12595-1

In The Matter of Charges and)
Complaint Against)
PRAKASH CHAUDHARI, M.D.,)
Respondent.)

COMPLAINT

The Investigative Committee of the Nevada State Board of Medical Examiners, composed of Charles N. Held, M.D., Chairman, Jean Stoess, M.A., Member, and Benjamin Rodriguez, M.D., Member, by and through Lyn E. Beggs, General Counsel for the Nevada State Board of Medical Examiners, having a reasonable basis to believe that Prakash Chaudhari, M.D., hereinafter referred to as Dr. Chaudhari, has violated the provisions of NRS Chapter 630, hereby issues its formal Complaint, stating the Investigative Committee's charges and allegations, as follows:

1. Dr. Chaudhari is currently licensed in active status, and was so licensed by the Nevada State Board of Medical Examiners, hereinafter referred to as "the Board," on April 15, 1999 (License No. 8960), pursuant to the provisions of Chapter 630 of the Nevada Revised Statutes, and at all times addressed herein was so licensed.

2. Patient A was a fifty-three year old woman at the time of the first date referenced herein. Her true identify is not disclosed to protect her privacy, but her identity is disclosed in the Patient Designation served on Dr. Chaudhari along with a copy of this Complaint.

3. Patient A, a regular patient of Dr. Von Tobel, her family practitioner, presented to him on March 5, 2002 with a growing lesion in the left groin area with black spots. Dr. Von Tobel recommended an excisional biopsy and on March 7, 2002 he excised the lesion and sent it to be read by a pathologist.

OFFICE OF THE GENERAL COUNSEL
Nevada State Board of Medical Examiners
1105 Terminal Way #301
Reno, Nevada 89502
(775) 688-2559

1 4. Dr. Chaudhari reviewed the specimen and prepared a report on March 11, 2002,
2 stating a diagnosis of "compound nevus, extends focally to the peripheral margin." Dr. Chaudhari
3 commented that the features of the nevus are that of "nevus on special site" and recommended
4 conservative re-excision.

5 5. Patient A returned to Dr. Von Tobel on March 21, 2002 for re-excision of the
6 lesion which was accomplished and the lesion was again sent for to pathology for review.

7 6. Dr. Chaudhari reviewed this second specimen and on March 25, 2002 prepared a
8 report stating a diagnosis of "noresidual nevus; central biopsy defect with chronic inflammation
9 and fibrosis."

10 7. On April 23, 2004, Patient A reported to Dr. Von Tobel a change in a lesion on her
11 left groin that had been present for one month. Dr. Von Tobel again recommended an excisional
12 biopsy of the lesion which was performed on May 27, 2004 and the lesion was sent to pathology
13 for review.

14 8. Dr. Chaudhari reviewed this specimen and prepared a report on May 28, 2004
15 stating a diagnosis of "malignant melanoma, superficial spreading type, .07 mm of Breslow's
16 thickness, Clark level II-III, extends to the peripheral margins."

17 9. Dr. Chaudhari subsequently re-reviewed the original specimen from March 7, 2002
18 and on July 22, 2004, prepared a supplemental report indicating a supplemental diagnosis of "milk
19 line atypical nevus; with a focus of melanoma, .07 mm Breslow's Thickness, Clark level II/III,
20 involving the peripheral margins."

21 10. Patient A did undergo treatment for the malignant melanoma.

22 **Count I**

23 11. Nevada Administrative Code Section 630.040 defines malpractice as the failure of
24 a physician, in treating a patient, to use the reasonable care, skill, or knowledge ordinarily used
25 under similar circumstances.

26 12. Nevada Revised Statute Section 630.301(4) provides that malpractice is grounds
27 for initiating disciplinary action against a licensee.

28 ///

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

13. Dr. Chaudhari failed to use the reasonable care, skill, or knowledge ordinarily used under similar circumstances when he failed to diagnosis Patient A's malignant melanoma when initially reviewing the specimen of March 7, 2002.

14. By reason of the foregoing, Dr. Chaudhari is subject to discipline by the Nevada State Board of Medical Examiners as provided in Section 630.352 of the Nevada Revised Statutes.

WHEREFORE, the Investigative Committee prays:

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

2. That the Nevada State Board of Medical Examiners give Dr. Chaudhari notice of the charges herein against him, and when appropriate, the time and place set for the hearing, and the possible sanctions against him;

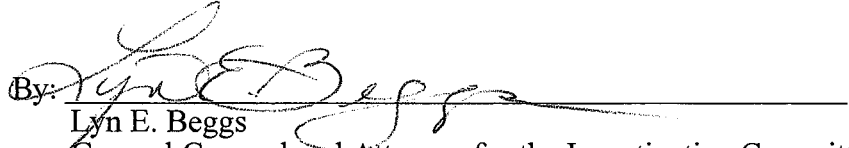
3. That the Nevada State Board of Medical Examiners determine what sanctions it determines to impose for the violation or violations committed by Dr. Chaudhari; and

4. That the Nevada State Board of Medical Examiners make, issue and serve on Dr. Chaudhari its findings of facts, conclusions of law and order, in writing, that includes the sanctions imposed; and

5. That the Nevada State Board of Medical Examiners take such other and further action as may be just and proper in these premises.

DATED this 23rd day of March, 2009.

THE NEVADA STATE BOARD OF MEDICAL EXAMINERS

By: 
Lyn E. Beggs
General Counsel and Attorney for the Investigative Committee

VERIFICATION

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

STATE OF NEVADA)
 : ss.
COUNTY OF DOUGLAS)

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

DATED this 23rd day of MARCH, 2009.



CHARLES N. HELD, M.D.

CERTIFICATE OF MAILING

I hereby certify that I am employed by Nevada State Board of Medical Examiners and that on the 23rd day of March 2009, I served a file copy of the COMPLAINT, PATIENT DESIGNATION & Original SETTLEMENT, WAIVER & CONSENT AGREEMENT, by mailing via USPS certified return receipt mail, to the following:

Prakash Chaudhari, M.D.
Associated Pathologist
4230 Burnham Ave.
Las Vegas, NV 89119

Dated this 23rd day of March 2009.



Angelia Donohoe
Legal Assistant