

OFFICE OF THE GENERAL COUNSEL
Nevada State Board of Medical Examiners
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**BEFORE THE BOARD OF MEDICAL EXAMINERS
OF THE STATE OF NEVADA**

* * * *

**In The Matter of Charges and)
)
Complaint Against)
)
STEVEN MACARTHUR, M.D.,)
)
Respondent.)**

Case No. 09-18625-1

**FILED
NOV 23 2009**

NEVADA STATE BOARD OF
MEDICAL EXAMINERS

COMPLAINT

The Investigative Committee of the Nevada State Board of Medical Examiners, composed of S. Daniel McBride, M.D., and Mr. Van V. Hefner, by and through Edward Cousineau, General Counsel for the Nevada State Board of Medical Examiners, having a reasonable basis to believe that Steven MacArthur, M.D., hereinafter referred to as "Respondent," has violated the provisions of NRS Chapter 630, hereby issues its formal Complaint, stating the Investigative Committee's charges and allegations, as follows:

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

2. Patient A was a thirty-eight-year-old female at the time of events at issue. Her true identity is not disclosed herein to protect her privacy, but is disclosed in the Patient Designation served on Respondent along with a copy of this Complaint.

3. Patient A presented to William B. Ririe Hospital, located in Ely, Nevada, on June 11, 2002. Patient A was approximately thirty-eight weeks pregnant and was admitted for induction by her primary physician. Due to an acute illness that befell the primary physician, Patient A's primary physician transferred care of her to Respondent.

1 4. At approximately 1630 on June 11, 2002, Respondent reviewed Patient A's labor
2 status. Medical records indicate that Patient A's cervix was dilated approximately 4cm, 60%
3 effaced, -4 station, and a compound presentation with a notation that there a possible hand in the
4 vaginal area. After reviewing Patient A's fetal circumstance, Respondent proceeded to perform
5 amniotomy with an amniohook, which resulted in an immediate cord prolapse with fetal
6 decelerations.

7 5. Thereafter, Patient A was transferred to the operating room for an emergency
8 cesarean section surgical procedure. Over thirty minutes elapsed between the time of the cord
9 prolapse and the cesarean section and as a result of this lapse; Patient A's newborn suffered
10 permanent physiological injury.

11 6. Based upon the foregoing, Respondent failed to use the reasonable knowledge,
12 skill and expertise ordinarily used in similar circumstances in his treatment of Patient A, in that
13 he failed to counsel Patient A of the risks associated with amniotomy, appreciate the risk of cord
14 prolapse with amniotomy, or take the necessary medical precautions in the event cord prolapse
15 did occur.

16 7. Section 630.301(4) of the Nevada Revised Statutes provides that malpractice,
17 defined as the failure to use the reasonable knowledge, skill and expertise ordinarily used in similar
18 circumstances, is grounds for discipline.

19 8. Respondent committed malpractice in the course of providing care and treatment to
20 Patient A and is subject to discipline by the Nevada State Board of Medical Examiners as provided
21 in NRS 630.352.

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

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

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


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

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

DATED this 23rd day of November, 2009.


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

CERTIFICATE OF MAILING

I hereby certify that I am employed by Nevada State Board of Medical Examiners and that on the 23rd day of November 2009, I served a file copy of the COMPLAINT, PATIENT DESIGNATION & FINGERPRINT INFORMATION, by mailing USPS certified mail to the following:

Steven MacArthur, M.D.
934 East 150 South
Springville, UT 84663

Dated this 23rd day of November 2009.



Angeli Donohoe
Legal Assistant