## BEFORE THE BOARD OF MEDICAL EXAMINERS OF THE STATE OF NEVADA

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In The Matter of Charges and	)	
J	)	Case No. 10-8734-1
Complaint Against	)	FILED
ABDEL KHALEK, M.D.,	)	OCT 0 7 2010
Respondent.	)	NEVADA STATE BOARD OF MEDICAL EXAMINERS
	)	By: Clark
	<b>COMPLAINT</b>	

The Investigative Committee of the Nevada State Board of Medical Examiners (Board), composed of Charles N. Held, M.D., Theodore B. Berndt, M.D., Valerie J. Clark, by and through Bradley O. Van Ry, Deputy General Counsel for the Board and attorney for the Investigative Committee, having a reasonable basis to believe that Abdel Khalek, 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 in active license status to practice medicine in the state of Nevada, and has been so licensed since August 14, 1993, 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 seventy year-old male at the time of the events at issue. His true identity is not disclosed herein to protect his privacy, but is disclosed in the Patient Designation served on Respondent along with a copy of this Complaint.
- 3. Patient B was a sixty-five year old female at the time of the 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.

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- 4. Patient C was a sixty-two year old female at the time of the 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.
- 5. Patient A presented to Respondent on November 3, 2008 and treated with Respondent through November, 2008. Respondent failed to maintain timely, legible, accurate and complete medical records of Patient A.
- 6. Patient B presented to Respondent on October 24, 2002 and treated with Respondent through November, 2008. Respondent failed to maintain timely, legible, accurate and complete medical records of Patient B.
- 7. Patient C presented to Respondent on June 19, 2000 and treated with Respondent through August, 2008. Respondent failed to maintain timely, legible, accurate and complete medical records of Patient C.

## **COUNT I**

- 8. All of the above allegations in the above paragraphs are hereby incorporated as if fully set forth herein.
- 9. Section 630.3062(1) of the Nevada Revised Statutes (NRS) provides that failure to maintain timely, legible, accurate and complete medical records relating to the diagnosis, treatment and care of a patient, is grounds for initiating disciplinary action.
- 10. Respondent violated NRS §630.3062(1) when he failed to properly maintain medical records related to Patients A, B and C and is subject to discipline by the Nevada State Board of Medical Examiners as provided in NRS 630.352.

### WHEREFORE, the Investigative Committee prays:

- 1. That the Nevada State Board of Medical Examiners give Respondent notice of the charges herein against him and give him notice that he may file an answer to the Complaint herein as set forth in Section 630.339 of the Nevada Revised Statutes within twenty (20) days of service of the Complaint.
- 2. That the Nevada State Board of Medical Examiners set a time and place for a formal hearing after holding an Early Case Conference pursuant to NRS §630.339(3);

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- 3. That the Nevada State Board of Medical Examiners determine what sanctions it determines to impose if it determines there has been a violation or violations of the Medical Practice Act (Nevada Revised Statutes Chapter 630) committed by Respondent; and
- 4. That the Nevada State Board of Medical Examiners make, issue and serve on Respondent 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.

Bradley Ö. Van Ry, Esq.

Deputy General Counsel and Attorney for the Investigative

Committee

## OFFICE OF THE GENERAL COUNSEL Nevada State Board of Medical Examiners

## **VERIFICATION**

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STATE OF NEVADA ) : ss.
COUNTY OF DOUGLAS )

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

Charles N. Held, M.D.

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

## **CERTIFICATE OF MAILING**

I hereby certify that I am employed by Nevada State Board of Medical Examiners and that on 7<sup>th</sup> day of October 2010; I served a file copy of the COMPLAINT, PATIENT DESIGNATION, SETTLEMENT, WAIVER & CONSENT AGREEMENT and Fingerprint Information, by mailing via USPS certified mail to the following:

Abdel Khalek, M.D. 4500 Meadows Lane Las Vegas, NV 89107

Dated this 7<sup>th</sup> day of October 2010.

Angelia L. Donohoe Legal Assistant