

BEFORE THE BOARD OF MEDICAL EXAMINERS
OF THE STATE OF NEVADA

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FILED

AUG 11 2010

In The Matter of Charges and)
Complaint Against)
CLIFFORD CARROL, M.D.,)
Respondent.)

NEVADA STATE BOARD OF
MEDICAL EXAMINERS

By: 

Case No. 10-11702-1

COMPLAINT

The Investigative Committee of the Nevada State Board of Medical Examiners, composed at the time filing was approved of Charles N. Held, M.D., Theodore B. Berndt, M.D. and Ms. Valerie Clark, BSN, RHU, LUTCF, having a reasonable basis to believe that Clifford Carrol, M.D., hereinafter referred to as Dr. Carrol, 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. Carrol is currently licensed in active status (License No. 8160), and has been so licensed since April 21, 1997 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 forty-three year old male at the time of the incident in question. His true identity is not disclosed to protect his privacy, but his identity is disclosed in the Patient Designation served on Dr. Carrol along with a copy of this Complaint.

3. Patient A was referred for a gastroenterology consultation by his primary care physician in October 2004 after fecal occult blood testing showed positive findings.

4. Patient A was evaluated at the Gastroenterology Center of Nevada on December 6, 2004 by a provider other than Dr. Carrol. The impression noted in the medical record was

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1 intermittent right upper quadrant pain and heme-positive stools and minimal constipation. A
2 colonoscopy was recommended and scheduled.

3 5. Patient A underwent a colonoscopy on January 28, 2005 at the Endoscopy Center
4 of Southern Nevada which was performed by Dr. Carrol. The medical records indicate the
5 procedure was started at 12:01 and was completed at 12:09. A specific time for the withdrawal of
6 the endoscope was not noted. Results of the colonoscopy were negative. In the records for the
7 colonoscopy, there is no mention of cecal intubation being achieved or that the appendiceal orifice
8 was identified. Photo documentation labeling of landmarks is lacking, specifically in the area in
9 which the cancerous lesion was subsequently identified. Additionally, there was no mention of a
10 retroflexing of the endoscope being performed.

11 6. Follow-up was not provided after the time of the normal examination to
12 specifically to evaluate the heme-positive stools for which Patient A was originally referred to the
13 Gastroenterology Center of Nevada.

14 7. Patient A was re-evaluated in April 2005 and was noted to be better with Citrucel
15 and was not experiencing rectal bleeding. The medical records indicated that the colonoscopy had
16 been negative and that right lower quadrant pain was resolved.

17 8. Patient A was admitted to North Valleys Hospital in December 2005 after a CBC
18 test ordered by his primary care physician indicated profound anemia. A gastrointestinal work up
19 was initiated while the patient was in the hospital which was negative. He was discharged with
20 instructions to follow up with his physicians.

21 9. He was seen at the Gastroenterology Center of Nevada shortly after his hospital
22 stay and was scheduled for a video capsule endoscopy which was performed in January 2006. The
23 actual capsule endoscopy report, apparently interpreted by Dr. Carrol indicated that the exam was
24 normal, however a handed follow-up visit notation indicates that it was abnormal.

25 10. Another colonoscopy, performed by Dr. Carrol on January 20, 2006, discovered a
26 large friable semicircular mass lesion just distal to the ileocecal valve. Biopsies were taken at the
27 time which indicated stage IV colon cancer. Several polyps were not identified; one polyp being

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1 one centimeter from the mass. There was also poor documentation in regard to the exact location
2 of the lesion when compared to the pathology report.

3 **Count I**

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

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

9 13. Dr. Carrol failed to use the reasonable care, skill, or knowledge ordinarily used
10 under similar circumstances when he performed the colonoscopies. The documentation of the
11 both colonoscopies is poor and does not indicate that thorough and complete examinations were
12 completed during the endoscopies. Further, he failed to provide reasonable care for subsequent
13 follow-up of the heme-positive stool which led to Patient A's original referral and colonoscopy.

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

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

17 1. That the Nevada State Board of Medical Examiners give Dr. Carrol notice of the
18 charges herein against him and give him notice that he may file an answer to the Complaint herein
19 as set forth in Section 630.339 of the Nevada Revised Statutes within twenty (20) days of service
20 of the Complaint.

21 2. That the Nevada State Board of Medical Examiners set a time and place for a
22 formal hearing after holding an Early Case Conference pursuant to NRS 630.339(3);

23 3. That the Nevada State Board of Medical Examiners determine what sanctions it
24 determines to impose if it determines there has been a violation or violations of the Medical
25 Practice Act (Nevada Revised Statutes Chapter 630) committed by Dr. Carrol; and

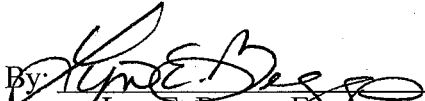
26 4. That the Nevada State Board of Medical Examiners make, issue and serve on
27 Dr. Carrol its findings of facts, conclusions of law and order, in writing, that includes the sanctions
28 imposed; and

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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 11th day of August, 2010.

THE NEVADA STATE BOARD OF MEDICAL EXAMINERS

By: 
Lyn E. Beggs, Esq.

General Counsel and Attorney for the Investigative Committee

VERIFICATION

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 11th day of August, 2010.

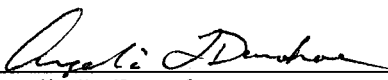

CHARLES N. HELD, M.D.

CERTIFICATE OF MAILING

I hereby certify that I am employed by Nevada State Board of Medical Examiners and that on 11th day of August 2010; I served a file copy of the Complaint and Patient Designation, by mailing via USPS certified return receipt mail to the following:

Sherman Mayor, Esq.
Mayor Law Firm
Attorney for Respondent
2820 W. Charleston Blvd., Ste. D-35
Las Vegas, NV 89102

Dated this 11th day of August 2010.



Angelia L. Donohoe
Legal Assistant