

BEFORE THE BOARD OF MEDICAL EXAMINERS
OF THE STATE OF NEVADA

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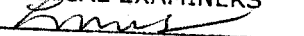
In The Matter of Charges and)
Complaint Against)
DARREN SOONG, M.D.)
Respondent.)

Case No. 10-8698-1

FILED

AUG 11 2010

NEVADA STATE BOARD OF
MEDICAL EXAMINERS

By: 

COMPLAINT

The Investigative Committee of the Nevada State Board of Medical Examiners, composed at the time of filing of Benjamin Rodriguez, M.D., Chairman, Beverly A. Neyland, M.D., Member, and Van V. Heffner, Member, having a reasonable basis to believe that Darren Soong, 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 currently licensed in active status (License No. 7196), and has been so licensed since July 21, 1994 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 twenty-six year old (26) female at the time of the incidents in question. Her true identity is not disclosed herein to protect her privacy, but her identity is disclosed in the Patient Designation served on Respondent along with a copy of this Complaint.

3. Patient A presented to the Surgical Weight Control Center of Nevada on January 18, 2008. She sought assistance for weight loss. After an examination by Respondent, laparoscopic surgery for placement of an adjustable Gastric silicone band was planned for February 14, 2008.

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1 4. A urine pregnancy test was administered to Patient A just prior to surgery on
2 February 14, 2008. Her urine sample was taken at 7:00 a.m. The urine test result was obtained at
3 7:48 a.m. and was positive for pregnancy. It also had the words "STAT STAT STAT" on it.

4 5. It appears that the positive urine test result was never called in or reported to the
5 Respondent. Respondent, moreover, did not follow-up on the results prior to the surgery. He
6 proceeded with the laparoscopic surgery for placement of the Gastric silicone band on Patient A
7 without knowledge of her pregnant status. Surgery proceeded with no apparent complications.

8 6. Patient A began skipping menstrual cycles in March, 2008. At a follow-up
9 appointment, she asked Respondent about missing her menstrual cycle and he told her that it was
10 normal after this type of surgery and related rapid weight loss. Patient A also skipped her
11 menstrual cycle in April, 2008.

12 7. Patient A did not a have menstrual cycle in May, 2008. On May 19, 2008, Patient
13 A did not feel well and had a sharp pain in her left side. She went to the University Medical
14 Center Emergency Room for treatment. A urine sample was then taken that established Patient
15 A's pregnant status. An ultrasound placed her at nineteen (19) weeks gestation. Thus, Patient A
16 was two to three (2-3) weeks pregnant at the time of the laparoscopic surgery performed by
17 Respondent.

18 8. As the surgeon and primary treating physician, the recognition and reporting of
19 abnormal tests was Respondent's responsibility. Respondent should have informed Patient A that
20 she was pregnant, should have discerned and reported the positive pregnancy test at the time of
21 surgery and should have discerned and reported the positive pregnancy test after the surgery.

22 **Count I**

23 9. All of the allegations contained in the above paragraphs are hereby incorporated by
24 reference as though fully set forth herein.

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

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1 11. Nevada Revised Statute Section 630.301(4) provides that malpractice is grounds
2 for initiating disciplinary action against a licensee.

3 12. Respondent failed to use the reasonable care, skill, or knowledge ordinarily used
4 under the same or similar circumstances when he failed and omitted to inform Patient A that she
5 was pregnant and/or failed to discern and report the pregnancy to Patient A before the surgery
6 and/or failed to discern and report the pregnancy to Patient A after the surgery.

7 13. By reason of the foregoing, Respondent is subject to discipline by the Nevada State
8 Board of Medical Examiners as provided in Section 630.352 of the Nevada Revised Statutes.

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

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

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

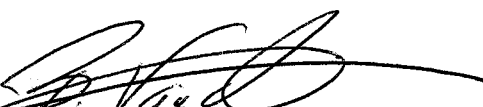
16 3. That the Nevada State Board of Medical Examiners determine what sanctions it
17 determines to impose if it determines there has been a violation or violations of the Medical
18 Practice Act (Nevada Revised Statutes Chapter 630) committed by Respondent; and

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

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

24 DATED this 11th day of August, 2010.

25 THE NEVADA STATE BOARD OF MEDICAL EXAMINERS

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27 By: 
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Bradley O. Van Ry, Esq.
Deputy General Counsel and Attorney for the Investigative Committee

VERIFICATION

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STATE OF NEVADA)
 : ss.
COUNTY OF CLARK)

Benjamin Rodriguez, 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.

Dated this 11th day of August, 2010.



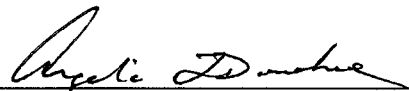
BENJAMIN RODRIGUEZ, M.D.

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, Patient Designation, Original of the Settlement, Waiver and Consent Agreement along with the Fingerprint Information by mailing via USPS certified return receipt mail to the following:

Darren W. Soong, M.D.
3802 Meadows Lane
Las Vegas, NV 89107

Dated this 11th day of August 2010.



Angelia L. Donohoe
Legal Assistant