BEFORE THE BOARD OF MEDICAL EXAMINERS OF THE STATE OF NEVADA

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In The Matter of Charges and)	
Complaint Against)	
MICHAEL ROSENMAN, M.D.,)	Case No. 10-11476-1
Respondent.)	FILED
No. Print Control Cont)	APR 1 5 2010

COMPLAINT

NEVADA STATE BOARD OF MEDICAL EXAMINERS

The Investigative Committee of the Nevada State Board of Medical Examiners, composed at the time filing of Charles N. Held, M.D., Chairman, Theodore B. Berndt, M.D., Member, and Valerie J. Clark, Member, by and through Bradley O. Van Ry, Deputy General Counsel, having a reasonable basis to believe that Michael Rosenman, 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. 7991), and has been so licensed since September 26, 1996 by the Nevada State Board of Medical Examiners pursuant to the provisions of Chapter 630 of the Nevada Revised Statutes.
- 2. Respondent's authorized billing network contract with CIGNA Healthcare hereinafter ("CIGNA") was terminated in January, 2003. As a result, he was not authorized to bill CIGNA for medical services after that date.
- 3. Beginning on or about August 20, 2003 and continuing through December 31, 2004, Respondent performed medical services and billed CIGNA for medical services although not authorized to do so. He did this by using his partner's, and ex-wife's name, Dr. Miroslava Mogler hereinafter referred to as "Dr. Mogler", and billing authorization number with CIGNA to submit the bills to CIGNA. Thus, on multiple instances and over the course of

aforementioned dates, Respondent billed CIGNA for services under Dr. Mogler's name and CIGNA number although not authorized to do so.

5. In each and every of the multiple instances, Dr. Mogler, the authorized CIGNA healthcare provider, did not perform any of the medical services that were billed to CIGNA by Respondent. Dr. Mogler, significantly, was out of town, absent from work with ill, not in the office and resigned her position and performed her last day of work on or about May 25, 2004.

Count I

- 6. Each of the allegations in the above paragraphs are hereby incorporated as if fully set forth herein.
- 7. Nevada Revised Statute Section 630.305(1)(d) provides that the charging for visits to the physician's office which did not occur or for services which were not rendered is grounds for initiating discipline against a licensee.
- 8. By reason of the foregoing, Respondent is subject to discipline by the Nevada State Board of Medical Examiners as provided in Section 630.352 of the Nevada Revised Statutes.

Count II

- 9. Each of the allegations in the above paragraphs are hereby incorporated as if fully set forth herein.
- 10. Nevada Revised Statute Section 630.306(2)(a) provides that engaging in any conduct which is intended to deceive is grounds for initiating discipline against a licensee.
- 11. By reason of the foregoing, Respondent 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 Respondent notice of the charges herein against him, the time and place set for the hearing, and the possible sanctions against him;

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3.	That the Nevada	State Board	of Medical	Examiners	determine	what	sanctions i
decides to im	pose for the violation	on or violatic	ns committe	d by Respor	ndent; 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.

DATED this ______day of April, 2010.

THE NEVADA STATE BOARD OF MEDICAL EXAMINERS

Bradley O. Van Ry, Esq.

Deputy General Counsel and Attorney for the Investigative Committee

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

VERIFICATION

STATE OF NEVADA)
COUNTY OF DOUGLAS	: ss.)

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.

Dated this 15th day of April, 2010.

Charles N. Held, M.D.

OFFICE OF THE GENERAL COUNSEL 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 15th day of April 2010, I served a file copy of the COMPLAINT, ORIGINAL SETTLEMENT, WAIVER & CONSENT AGREEMENT & Fingerprint Processing Information by mailing via USPS certified return receipt mail to the following:

> Michael Rosenman, M.D. 3201 S. Maryland Parkway, Ste. 608 Las Vegas, NV 89109

Dated this 15th day of April 2010.

Angelia L. Donohoe

Legal Assistant