

1 privacy, but are disclosed in a separate Patient Designation incorporated by reference to this
2 Complaint and served upon Respondent with a copy of this complaint.

3 4. From approximately November 2008 to June 2009, Respondent wrote prescriptions
4 for controlled substances to Patient A, a twenty-two (22) year old female. These controlled
5 substances included, but were not limited to, Zolpidem, Alprazolam and Temazepam. It is
6 suspected that these prescriptions were not used by Patient A, but were picked up and likely used
7 by Respondent.

8 5. From approximately February 1997 to July 2009, Respondent wrote prescriptions
9 for controlled substances to Patient B, an approximately seventy year old female. These controlled
10 substances included, but were not limited to, Zolpidem, Phendimetrazine, Adipex, Ambien and
11 Phentermine. It is suspected that these prescriptions were not used by Patient B, but were picked
12 up and likely used by Respondent.

13 6. During February 2009, Respondent wrote prescriptions for controlled substances to
14 Patient C, a nineteen (19) year old male. These controlled substances included, but were not
15 limited to, Alprazolam, Zolpidem. It is suspected that these prescriptions were not used by Patient
16 C, but were picked up and likely used by Respondent.

17 7. From approximately December 1999 to April 2009, Respondent wrote
18 prescriptions for controlled substances to Patient D, a fifty-one (51) year old male. These
19 controlled substances included, but were not limited to, Temazepam, Zolpidem, Hydrocodone. It
20 is suspected that these prescriptions were not used by Patient D, but were picked up and likely
21 used by Respondent.

22 8. All the above patients were family members of Respondent. The foregoing further
23 demonstrates Respondent's ongoing pattern of using family members' names as the patient(s) to
24 write prescriptions for controlled substances. She would then pick up the prescription(s) in her
25 family members' names and convert the controlled substances for her own, personal use.

26 9. The evidence further reveals that Respondent did not foster or maintain a
27 bona fide therapeutic relationship(s) with the foregoing patients as required under the law, Nevada
28 Administrative Code Section 639.945(o), Nevada Administrative Code Section 639.752(o) and

1 Nevada Administrative Code Section 639.752(2)(b)(2), for prescribing of controlled substances.
2 The prescriptions were written under a pretext of such therapeutic relationship(s) so that
3 Respondent could convert the controlled substances to her own personal use.

4 10. NRS §0.031, significantly, defines a “controlled substance” as a drug, immediate
5 precursor or other substance which is listed in schedule I, II, III, IV or V for control by the State
6 Board of Pharmacy pursuant to NRS 453.146 and NAC 453.510 to NAC 453.550.

7 11. Through further investigation it was discovered that Respondent also wrote
8 prescriptions to herself for her own use. On at least one occasion, September 26, 2008,
9 Respondent wrote a prescription for Ambien to herself.

10 12. Additional investigation uncovered that Respondent was arrested for
11 Driving Under the Influence on November 10, 2003, October 16, 2008 and March 5, 2010. None
12 of these arrests were disclosed as required, within thirty days of arrest, or on the biennial licensing
13 renewal forms with the Nevada State Board of Medical Examiners, wherein it states, “Have you
14 been arrested, investigated for, charged with, convicted or, or pled guilty or nolo contender to any
15 criminal offense. . . .”

16 13. Due to growing concerns about a possible dependency issue for Respondent, the
17 Investigative Committee of the Nevada State Board of Medical Examiners issued an order for a
18 drug and alcohol evaluation to Respondent and served her with it on September 30, 2009. While
19 being served with the order, Respondent agreed to enter into Michael’s House, an in-patient drug
20 rehabilitation facility. It is believed that she attended Michael’s House through
21 October 28, 2009 and successfully completed the program.

22 14. Because of continued concerns about possible drug dependency issues for
23 Respondent, she was ordered by the Investigative Committee of the Nevada State Board of
24 Medical Examiners to enter the PRN-PRN treatment program located at Montevista Hospital on
25 November 6, 2009. Respondent began participation on the same date, November 6, 2009. She
26 was, unfortunately, consistently non-compliant with the program throughout November, December
27 and January.

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1 23. Nevada Revised Statute Section 630.306(2)(a) provides that engaging in any
2 conduct which is intended to deceive is grounds for initiating discipline against a licensee.

3 24. Respondent engaged in numerous instances of intending to deceive by, among
4 other things, her ongoing pattern of improper conduct of writing prescriptions in other's names for
5 her own personal use and for self-prescribing a controlled substance.

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

9 **COUNT III**

10 26. All of the allegations contained in the above paragraphs are hereby incorporated by
11 reference as though fully set forth herein.

12 27. Nevada Revised Statute Section 630.306(8) provides that habitual intoxication
13 from alcohol or dependency on controlled substances is grounds for initiating discipline against a
14 licensee.

15 28. The continuous and chronic nature of Respondent's improper conduct demonstrates
16 her dependency on controlled substances. Further, Respondent has admitted to investigative staff
17 members of the Nevada State Board of Medical Examiners that she was writing fraudulent
18 prescriptions for phentermine in order to satisfy her addiction to it; that she was arrested in the
19 past for Driving Under the Influence; and, that she has done what she was accused of by the
20 Nevada State Board of Medical Examiners. All of Respondent's admitted conduct was for the
21 purpose of satisfying her dependency on controlled substances. Respondent's three DUI arrests
22 also demonstrate a problem with habitual intoxication from alcohol or dependency on controlled
23 substances.

24 29. By reason of the foregoing, Respondent is subject to discipline by the
25 Nevada State Board of Medical Examiners as provided in Section 630.352 of the
26 Nevada Revised Statutes.

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COUNT IV

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2 30. All of the allegations contained in the above paragraphs are hereby incorporated by
3 reference as though fully set forth herein.

4 31. Nevada Revised Statute Section 630.306(2)(c) provides that engaging in any
5 conduct which is in violation of a regulation adopted by the State Board of Pharmacy is grounds
6 for initiating discipline against a licensee.

7 32. Nevada Administrative Code Section 639.945(o), a regulation adopted by the
8 Nevada State Board of Pharmacy, provides that prescribing a drug as a prescribing practitioner to a
9 patient with whom the prescribing practitioner does not have a bona fide therapeutic relationship
10 is unprofessional conduct and contrary to the public interest.

11 33. Nevada Administrative Code Section 639.752(o), a regulation adopted by the
12 Nevada State Board of Pharmacy, provides that prescribing a drug as a prescribing practitioner to a
13 patient with whom the prescribing practitioner does not have a bona fide therapeutic relationship
14 is unprofessional conduct and contrary to the public interest.

15 34. Nevada Administrative Code Section 639.752(2)(b)(2), a regulation adopted by the
16 Nevada State Board of Pharmacy, provides that prescribing a drug as a prescribing practitioner to a
17 patient with whom the prescribing practitioner does not have a bona fide therapeutic relationship
18 is unprofessional conduct and contrary to the public interest.

19 35. Respondent violated the foregoing regulations and statute by, among other things,
20 continually prescribing controlled substances to patients with which she did not have a bona fide
21 therapeutic relationship, discovered by the Nevada State Board of Medical Examiners to be her
22 family members.

23 36. By reason of the foregoing, Respondent is subject to discipline by the
24 Nevada State Board of Medical Examiners as provided in Section 630.352 of the
25 Nevada Revised Statutes.

COUNT V

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27 37. All of the allegations contained in the above paragraphs are hereby incorporated by
28 reference as though fully set forth herein.

1 38. Nevada Revised Statute Section 630.304(1) provides that obtaining, maintaining or
2 renewing or attempting to obtain, maintain or renew a license to practice medicine by bribery,
3 fraud or misrepresentation or by any false, misleading, inaccurate or incomplete statement is
4 grounds for initiating discipline against a licensee.

5 39. Respondent's failure to admit the two Driving Under the Influence arrests, in 2003
6 and 2008, on three separate biennial licensing renewal forms, 2005, 2007, 2009, is a violation of
7 Nevada Revised Statute Section 630.304(1).

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

11 **COUNT VI**

12 41. All of the allegations contained in the above paragraphs are hereby incorporated by
13 reference as though fully set forth herein.

14 42. Nevada Revised Statute Section 630.306(12) provides that the failure by a licensee
15 to report in writing, within 30 days, any criminal action taken against the licensee.

16 43. Respondent's failure to report in writing the Driving Under the Influence arrest, in
17 2010, is a violation of Nevada Revised Statute Section 630.306(12).

18 44. By reason of the foregoing, Respondent is subject to discipline by the
19 Nevada State Board of Medical Examiners as provided in Section 630.352 of the
20 Nevada Revised Statutes.

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

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

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

27 3. That the Nevada State Board of Medical Examiners determine what sanctions it
28 deems appropriate to impose for the violation committed by Respondent; and

OFFICE OF THE GENERAL COUNSEL

Nevada State Board of Medical Examiners

1105 Terminal Way #301

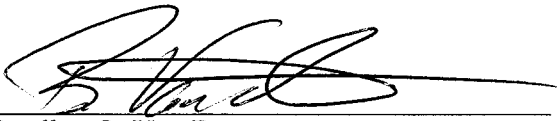
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4. That the Nevada State Board of Medical Examiners make, issue and serve on Respondent its findings of facts, conclusions of law and order, in writing, that includes the sanctions imposed.

DATED this 9th day of August, 2010.

By: 
Bradley O. Van Ry
Attorney for the Investigative Committee of the
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.

Dated this 9th day of August, 2010.



Charles N. Held, M.D.