

OFFICE OF THE GENERAL COUNSEL
Nevada State Board of Medical Examiners
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(775) 688-2559

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

* * * * *

**In The Matter of Charges and)
)
Complaint Against)
)
ALAN GEORGE BURSTEIN, M.D.)
)
Respondent.)**

Case No. 11-12112-1

**FILED
SEP 20 2011**

NEVADA STATE BOARD OF
MEDICAL EXAMINERS
By: 

COMPLAINT

The Investigative Committee of the Nevada State Board of Medical Examiners, composed at the time filing of Benjamin Rodriguez, M.D., Chairman, Beverly A. Neyland, M.D., Member, and Donna A. Ruthe, Member, having a reasonable basis to believe that Alan George Burstein, 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. 8524), and has been so licensed since January 24, 1998 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-one (41) year old female at the time of the incidents in question. Her true identity is not disclosed 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 B was a twenty-nine (29) year old male at the time of the incidents in question. His true identity is not disclosed to protect his privacy, but his identity is disclosed in the Patient Designation served on Respondent along with a copy of this Complaint.

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Count II

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

4 13. Nevada Revised Statute Section 630.3062(1) provides that the failure to maintain
5 timely, legible, accurate and complete medical records relating to the diagnosis, treatment and care
6 of a patient is grounds for initiating discipline against a licensee.

7 14. Respondent failed to ensure that the medical records in these matters were accurate
8 and complete by failing to document medical history and physical; failing to document vital signs;
9 failing to include lab tests; failing to include diagnostic imaging tests; failing to record consultations
10 for definitive surgical treatment and failing to record differential diagnoses for both Patient A and B.

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

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

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

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

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

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

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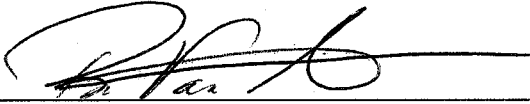
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5. That the Nevada State Board of Medical Examiners take such other and further action as may be just and proper in these premises.

DATED this 20th day of September, 2011.

INVESTIGATIVE COMMITTEE OF THE
NEVADA STATE BOARD OF MEDICAL EXAMINERS

By: 
Bradley O. Van Ry, Esq.
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 the underlying facts of this Complaint, that he believes the allegations and charges in the foregoing Complaint against Respondent are true, accurate, and correct.

Dated this 20th day of September, 2011.



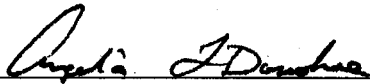
BENJAMIN RODRIGUEZ, M.D.

CERTIFICATE OF MAILING

I hereby certify that I am employed by Nevada State Board of Medical Examiners and that on 20th day of September 2011, I served a file copy of the COMPLAINT, PATIENT DESIGNATION & Fingerprint information via USPS e-certified mail to the following:

Alan Burstein, M.D.
9030 W. Sahara Ave., PMB #441
Las Vegas, NV 89117-5744

Dated this 20th day of September 2011.



Angelia L. Donohoe
Legal Assistant

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