

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

3 * * * * *

4 **In The Matter of Charges and**)
5)
6 **Complaint Against**)
7)
8 **EDDIE MATHIS, M.D.,**)
9)
10 **Respondent.**)

Case No. 11-8652-1

FILED

DEC 28 2011

NEVADA STATE BOARD OF
MEDICAL EXAMINERS

By: 

11 **COMPLAINT**

12 The Investigative Committee of the Nevada State Board of Medical Examiners, composed
13 at the time filing was approved of Benjamin J. Rodriguez, M.D., Beverly A. Neyland, M.D. and
14 Ms. Donna A. Ruthe, having a reasonable basis to believe that Eddie Mathis, M.D. hereinafter
15 referred to as Dr. Mathis, has violated the provisions of NRS Chapter 630, hereby issues its formal
16 Complaint, stating the Investigative Committee's charges and allegations, as follows:

17 1. Dr. Mathis is licensed to practice medicine in the state of Nevada
18 (License No. 6138), and was originally licensed on July 18, 1997, by the Nevada State Board of
19 Medical Examiners pursuant to the provisions of Chapter 630 of the Nevada Revised Statutes.

20 2. Patient A was a sixty-year-old male at the time of the incident in question. His true
21 identity is not disclosed to protect his privacy, but his identity is disclosed in the Patient
22 Designation served on Dr. Mathis along with a copy of this Complaint.

23 3. Patient A presented to Dr. Mathis on November 24, 2006, at the Desert View
24 Regional Medical Center after being injured in an ATV accident and refusing transport by EMS.

25 4. Patient A was triaged at 1828. During triage Patient A was noted as weighing 369
26 pounds and was noted to be taking Coumadin.

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

1 5. Patient A was seen by Dr. Mathis at 1910. A physical examination was performed
2 and x-rays of the clavicle and ribs were taken. During the physical examination Patient A reported
3 no complaints of abdominal pain, nausea, vomiting or shortness of breath.

4 6. Radiology readings reported that Patient A as having a fracture of the left clavicle
5 and fractures of the left second through seventh ribs. The radiology report also noted a suggestion
6 of an upper left lobe pulmonary contusion and could not exclude a small effusion.

7 7. No further imaging was completed nor was any lab work ordered. Patient A was
8 not examined again and was discharged with stable vital signs at 1940 with a prescription for pain
9 medications and instructions to follow up with his physician within four days.

10 8. Patient A was found unconscious in his home on November 26, 2006 and was
11 unable to be resuscitated by emergency personnel.

12 9. An autopsy was performed which indicated the cause of death as splenic lacerations
13 with hemoperitoneum due to blunt force of torso. Contributing factors were noted as severe
14 obesity and therapeutic use of warfarin.

15 **Count I**

16 10. NAC 630.040 defines malpractice as the failure of a physician, in treating a patient,
17 to use the reasonable care, skill, or knowledge ordinarily used under similar circumstances.

18 11. NRS 630.301(4) provides that malpractice is grounds for initiating discipline
19 against a licensee.

20 12. Dr. Mathis committed malpractice as defined by NAC 630.040 when he failed to
21 engage in any further evaluation of Patient A prior to discharge, when he failed to order more
22 imaging studies and when he failed to order any lab work to include either a CBC or coagulation
23 study.

24 13. By reason of the foregoing, Dr. Mathis is subject to discipline by the Nevada State
25 Board of Medical Examiners as provided in NRS 630.352.

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

27 1. That the Nevada State Board of Medical Examiners give Dr. Mathis notice of the
28 charges herein against him and give him notice that he may file an answer to the Complaint herein

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as set forth in Section 630.339 of the Nevada Revised Statutes within twenty (20) days of service of the Complaint.

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

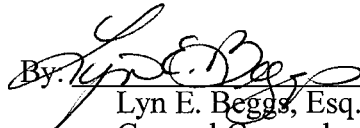
3. That the Nevada State Board of Medical Examiners determine what sanctions it determines to impose if it determines there has been a violation or violations of the Medical Practice Act (Nevada Revised Statutes Chapter 630) committed by Dr. Mathis; and

4. That the Nevada State Board of Medical Examiners make, issue and serve on Dr. Mathis 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 28th day of December, 2011.

THE INVESTIGATIVE COMMITTEE OF
THE NEVADA STATE BOARD OF MEDICAL EXAMINERS

By: 
Lyn E. Beggs, Esq.
General Counsel and Attorney for the Investigative Committee

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VERIFICATION

STATE OF NEVADA)
 : ss.
COUNTY OF CLARK)

BENJAMIN J. RODRIGUEZ, 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 28th day of December, 2011.



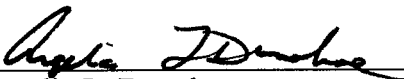
BENJAMIN J. RODRIGUEZ, M.D.

CERTIFICATE OF MAILING

I hereby certify that I am employed by Nevada State Board of Medical Examiners and that on 28th day of December 2011, I served a file copy of the COMPLAINT, PATIENT DESIGNATION, SETTLEMENT, WAIVER & CONSENT AGREEMENT & Fingerprint information via USPS e-certified mail to the following:

David Mortensen, Esq.
Alverson, Taylor, Mortensen & Sanders
7401 W. Charleston Blvd.
Las Vegas, NV 89117

Dated this 28th day of December 2011.



Angelia L. Donohoe
Legal Assistant

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