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

* * * * *

In The Matter of Charges and)
)
Complaint Against)
)
FRANCIS XAVIER)
DEL VECCHIO, M.D.,)


Respondent.)

Case No. 11-11516-1

FILED

MAY - 4 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 Charles N. Held, M.D., Chairman, Theodore B. Berndt, M.D., Member, and Valerie J. Clark, BSN, RHU, LUTCF, Member, having a reasonable basis to believe that Francis Xavier Del Vecchio, 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's license is currently in active status (License No. 7962), and has been so licensed since September 6, 1996 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 sixty-seven year old (67) 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. On February 11, 2007, Patient A presented to Desert Springs Hospital at about 0130 HRS. She complained of abdominal pain and had a history of diverticulitis and GI bleed. Her initial documented blood pressure was 60/30.

4. Another documented blood pressure of Patient A was not taken until 0345 HRS when it was 62/32. This demonstrates a failure to record Patient A's blood pressure for over two (2) hours.

1 Relatedly, much other important medical information was not recorded in Patient A's chart/records.
2 The medical records in this matter are sparse.

3 5. Patient A went into cardiac arrest under an hour later. She passed away around 0525
4 HRS that same day.

5 **Count I**

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

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

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

13 9. Respondent failed to use the reasonable care, skill, or knowledge ordinarily used
14 under the same or similar circumstances by, among other things, when he failed and omitted to
15 address Patient A's significantly low blood pressure; failed to immediately start an IV on Patient A
16 for the purpose of administering supplemental vasoactive medications; failed to facilitate rapid
17 hydration of Patient A and immediately evaluate Patient A's response.

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

20 **Count II**

21 11. All of the allegations in the above paragraphs are hereby incorporated as if fully set
22 forth herein.

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

26 13. Respondent failed to ensure that Patient A's blood pressure was recorded for over two
27 (2) hours. Respondent further failed to maintain other important medical information in Patient A's
28 chart/records.

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14. 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 give Respondent notice of the charges herein against him and give him notice that he may file an answer to the Complaint herein 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 Respondent; 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 4th day of May, 2011.

THE 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 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 4th day of May, 2011.




CHARLES N. HELD, M.D.

CERTIFICATE OF MAILING

I hereby certify that I am employed by Nevada State Board of Medical Examiners and that on 5th day of May 2011, I served a file copy of the COMPLAINT, PATIENT DESIGNATION & Fingerprint Information, by mailing via USPS certified return receipt mail to the following:

Francis Del Vecchio, M.D.
7816 Foothill Ash Ave.
Las Vegas, NV 89117

Dated this 5th day of May 2011.



Angelia L. Donohoe
Legal Assistant