

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

3 * * * * *

4
5 **In The Matter of Charges and**) **Case No. 11-5972-1**
6 **Complaint Against**)
7 **KAREN ARCOTTA, M.D.**)
8 **Respondent.**)

FILED

OCT - 7 2011

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10 **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 of the instant Complaint was approved of Theodore B. Berndt, M.D.,
14 Ms. Valerie Clark, BSN, RHU, LUTCF, and Michael Fischer, M.D., having a reasonable basis to
15 believe that Karen Arcotta, M.D., hereinafter referred to as Dr. Arcotta, has violated the provisions
16 of NRS Chapter 630, hereby issues its formal Complaint, stating the Investigative Committee's
17 charges and allegations, as follows:

18 1. Dr. Arcotta is licensed to practice medicine in the state of Nevada
19 (License No. 4896), and was originally licensed on July 9, 1983 by the Nevada State Board of
20 Medical Examiners pursuant to the provisions of Chapter 630 of the Nevada Revised Statutes.

21 2. In August 2011, as part of normal protocol, an investigator for the Nevada State
22 Board of Medical Examiners had multiple contacts with Dr. Arcotta as part of an on-going
23 investigation. In the course of these contacts, the investigator witnessed erratic behavior on the
24 part of Dr. Arcotta. Such erratic behavior had also been reported to the investigator by former
25 co-workers of Dr. Arcotta, including one incident involving a physical altercation with another
26 staff member.

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1 9. Dr. Arcotta was found to be unable to safely practice medicine after submitting to a
2 psychiatric evaluation order by the Investigative Committee pursuant to NRS 630.318 and
3 accordingly is in violation of NRS 630.306(13).

4 10. By reason of the foregoing, Dr. Arcotta is subject to discipline by the Nevada State
5 Board of Medical Examiners as provided in NRS 630.352.

6 **Count II**

7 11. NRS 630.306(12) provides that failure of a licensee to report in writing, within
8 30 days, any criminal action taken or conviction obtained against the licensee, other than a minor
9 traffic violation in this State, or any other state, is grounds for initiating disciplinary action against
10 a physician.

11 12. Dr. Arcotta failed to report to the Board her March 16, 2011 conviction for a
12 misdemeanor Driving Under the Influence in Las Vegas Township Justice Court within 30 days of
13 the conviction and to do has failed to report the conviction and accordingly is in violation of
14 NRS 630.306(12).

15 13. By reason of the foregoing, Dr. Arcotta is subject to discipline by the Nevada State
16 Board of Medical Examiners as provided NRS 630.352.

17 **Count IV**

18 14. NRS 630.304(1) provides that obtaining, maintaining, or renewing a license to
19 practice medicine by bribery, fraud or misrepresentation or by any false, misleading, inaccurate or
20 incomplete statement is grounds for initiating disciplinary action against a physician.

21 15. Dr. Arcotta answered negatively to question #6 on her renewal application
22 regarding whether she had been arrested or convicted in the time period specified within the
23 application, which is a false, misleading and inaccurate statement and accordingly, Dr. Arcotta is
24 in violation of NRS 630.304(1).

25 16. By reason of the foregoing, Dr. Arcotta is subject to discipline by the Nevada State
26 Board of Medical Examiners as provided NRS 630.352.

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

2 1. That the Nevada State Board of Medical Examiners give Dr. Arcotta notice of the
3 charges herein against her and give her notice that she may file an answer to the Complaint herein
4 as set forth in NRS 630.339 within twenty (20) days of service of the Complaint.

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

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

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

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

15 DATED this 7th day of October, 2011.

16
17 THE INVESTIGATIVE COMMITTEE OF
18 THE NEVADA STATE BOARD OF MEDICAL EXAMINERS

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

1 STATE OF NEVADA)
2 : ss.
3 COUNTY OF WASHOE)

4 THEODORE B. BERNDT, M.D., having been duly sworn, hereby deposes and states
5 under penalty of perjury that he is the Chairman of the Investigative Committee of the Nevada
6 State Board of Medical Examiners that authorized the complaint against the Respondent herein;
7 that he has read the foregoing Complaint; and that based upon information discovered in the
8 course of the investigation into a complaint against Respondent, he believes that the allegations
9 and charges in the foregoing Complaint against Respondent are true, accurate, and correct.

10 DATED this 7th day of October, 2011.

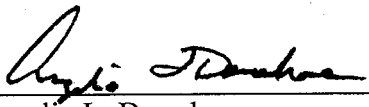
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14 THEODORE B. BERNDT, M.D.
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CERTIFICATE OF MAILING

I hereby certify that I am employed by Nevada State Board of Medical Examiners and that on 7th day of October 2011, I served a file copy of the COMPLAINT, and Fingerprint information via USPS e-certified mail to the following:

Kim Mandelbaum Esq.
Mandelbaum & Schwarz, Ltd.
2012 Hamilton Lane
Las Vegas, NV 89106

Dated this 7th day of October 2011.



Angelia L. Donohoe
Legal Assistant

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