

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

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

\* \* \* \* \*

In The Matter of Charges and )  
Complaint Against )  
KIM ALAN ADAMSON., M.D. )  
Respondent. )

Case No. 11-7036-1

**FILED**

**OCT 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 of filing was approved by Theodore Berndt, M.D., Ms. Valerie Clark, BSN, RHU, LUTCF, and Michael Fischer, M.D. having a reasonable basis to believe that Kim Alan Adamson, 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 with an active country restricted license (License No. CR1035), and was so licensed on January 29, 2009 by the Nevada State Board of Medical Examiners pursuant to the provisions of Chapter 630 of the Nevada Revised Statutes. Respondent's license is restricted to practice at the Pyramid Lake Paiute Reservation clinic.

2. Respondent's renewal application for the 2009-2011 biennium was received on June 29, 2009 with a check dated June 17, 2009, although Respondent dated his signature on the application on March 17, 2009.

3. The 2009-2011 biennium renewal application requested information for the period of July 1, 2007 to the present date (of renewal). Respondent answered "no" to Question #7 on the renewal application which asked "have you ever been arrested, investigated for, charged with, convicted of, or pled guilty or nolo contendere to any criminal offense...".

1           4.       On March 19, 2009, Respondent was arrested for Driving Under the Influence by  
2 Nevada Highway Patrol.

3           5.       Respondent did not modify his 2009-2011 biennium renewal application to provide  
4 an accurate response to question #6 prior to delivering it to the Board offices on June 29, 2009.

5           6.       On August 10, 2009, Respondent was convicted in Reno Justice Court of an  
6 amended count of Reckless Driving and was sentenced to pay a fine and assessments, attend and  
7 complete a Level I Alcohol and Drug Abuse Program and to attend the Victim Impact Panel.

8           7.       On June 30, 2011, Respondent's 2011-2013 biennium renewal application which  
9 requested information from July 1, 2009 to the present date (date of renewal) was received by the  
10 Board offices. Respondent answered "no" to Question #6 on the renewal application when asked  
11 "have you ever been arrested, investigated for, charged with, convicted of, or pled guilty or nolo  
12 contendere to any offense or violation of any ...state or local law...which is a misdemeanor, gross  
13 misdemeanor, felony,...excluding any minor traffic offense (driving under the influence is not  
14 considered a minor traffic offense)...". Respondent dated his signature on the renewal application  
15 May 4, 2011.

16           8.       Respondent was discovered to have written ten prescriptions for schedule IV  
17 controlled substances for Patient A between October 2010 and April 2011. Patient A has never  
18 been a patient at the Pyramid Lake Paiute Tribe clinic nor does Patient A reside on the Pyramid  
19 Lake Paiute Reservation.

20           9.       Respondent was discovered to have written prescriptions for a schedule IV  
21 controlled substance for Patient B in February 2011 and March 2011. Patient B has never been a  
22 patient at the Pyramid Lake Paiute Tribe clinic nor does Patient B reside on the Pyramid Lake  
23 Paiute Reservation.

24           10.      Respondent was discovered to have written a schedule II controlled substance in  
25 October 2010 and a schedule IV controlled substance in November 2010. Patient C has never  
26 been a patient at the Pyramid Lake Paiute Tribe clinic nor does Patient C reside on the Pyramid  
27 Lake Paiute Reservation.

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**Count I**

11. NRS 630.304(1) provides in part that renewing a license to practice medicine by any false, misleading, inaccurate or incomplete statement is grounds for initiating discipline against a licensee.

12. Respondent renewed his license to practice medicine in 2009 through a false and/or misleading statement when he failed to update his renewal application to indicate that he had been arrested before providing his application to the Board on June 29, 2009 and accordingly is in violation of NRS 630.304(1).

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

**Count II**

14. NRS 630.304(1) provides in part that renewing a license to practice medicine by any false, misleading, inaccurate or incomplete statement is grounds for initiating discipline against a licensee.

15. Respondent renewed his license to practice medicine in 2011 through a false and/or misleading statement when he failed disclose his conviction for Reckless Driving in August 2010 and accordingly is in violation of NRS 630.304(1).

16. By reason of the foregoing, Respondent is subject to discipline by the Nevada State Board of Medical Examiners as provided in NRS 630.352.

**Count III**

17. NRS 630.306(5) provides in part that practicing beyond the scope permitted by law is grounds for initiation of discipline against a licensee.

18. NRS 630.020(1) includes "prescribing" in the definition of the practice of medicine.

19. Respondent's prescribing of schedule II and IV controlled substances to individuals who were not patients at the Pyramid Lake Paiute Tribe clinic or resided on the Pyramid Lake Paiute Reservation is practicing medicine beyond the legal scope of his license and accordingly Respondent is in violation of NRS 630.306(5).

1 20. By reason of the foregoing, Respondent is subject to discipline by the Nevada State  
2 Board of Medical Examiners as provided in NRS 630.352.

3 **Count IV**

4 21. NRS 630.306(2)(a) provides that engaging in conduct which is intended to deceive  
5 is grounds for initiating disciplinary action against a licensee.

6 22. Respondent's actions in failing to disclose his arrest or conviction and his  
7 prescribing of schedule II and IV controlled substances to individuals who are not patients within  
8 the area that his licensed is restricted to shows a clear intent to deceive and accordingly  
9 Respondent is in violation of NRS 630.306(2)(a).

10 23. By reason of the foregoing, Respondent is subject to discipline by the Nevada State  
11 Board of Medical Examiners as provided in NRS 630.352.

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

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

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

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

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

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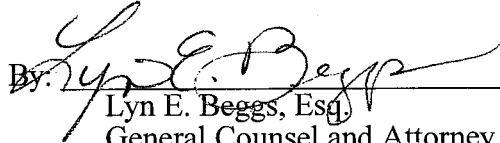
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5. That the Nevada State Board of Medical Examiners take such other and further action as may be just and proper in these premises.

DATED this 20<sup>th</sup> day of October, 2011.

INVESTIGATIVE COMMITTEE OF THE  
NEVADA STATE BOARD OF MEDICAL EXAMINERS

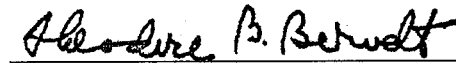
By:   
Lyn E. Beggs, Esq.  
General Counsel and Attorney for the Investigative Committee

VERIFICATION

STATE OF NEVADA            )  
  : ss.  
COUNTY OF WASHOE        )

THEODORE B. BERNDT, M.D., having been duly sworn, hereby deposes and states under penalty of perjury that he is the current 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 20<sup>th</sup> day of October, 2011.

  
THEODORE B. BERNDT, M.D.

**CERTIFICATE OF MAILING**

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

Kim Alan Adamson, M.D.  
430 Pintail Dr.  
Fallon, NV 89406

Dated this 20<sup>th</sup> day of October 2011.



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Angelia L. Donohoe  
Legal Assistant