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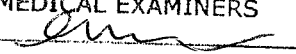
BEFORE THE BOARD OF MEDICAL EXAMINERS
OF THE STATE OF NEVADA

* * * * *

In The Matter of Charges and)
Complaint Against)
LARRY YEE, M.D.,)
Respondent)

Case No. 11-6816-1

FILED
OCT - 7 2011

NEVADA STATE BOARD OF
MEDICAL EXAMINERS
By: 

COMPLAINT

The Investigative Committee ("IC") of the Nevada State Board of Medical Examiners, composed at the time filing of Theodore B. Berndt, M.D., Chairman, Valerie J. Clark, BSN, RHU, LUTCF, Member, and Michael J. Fischer, M.D. having a reasonable basis to believe that Larry Yee, M.D., hereinafter referred to as Respondent, has violated the provisions of NRS Chapter 630, and hereby issues its formal Complaint, stating the Investigative Committee's charges and allegations, as follows:

1. Respondent is currently in suspended status (License No. 4655), by the Nevada State Board of Medical Examiners pursuant to the provisions of Chapter 630 of the Nevada Revised Statutes.

2. An order of the IC was served upon Respondent, through his counsel, on July 27, 2011 ordering his appearance before it to discuss his repeated failures to respond to repeated attempts to secure materials needed to complete an investigation and review of the matters before it.

3. On August 26, 2011, Respondent failed to appear before the IC as ordered.

4. A previous order of the IC was served upon Respondent on May 27, 2010 ordering a second psychiatric evaluation, assessment and/or examination of his overall competency to practice medicine in conjunction with a previous compliance agreement from June, 2008.

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1 5. Under the June, 2008 compliance agreement, the IC was to receive psychiatric
2 reports every three (3) months on Respondent's progress and medical practice for an entire year.
3 After one (1) year, reporting was to continue every six (6) months for the remainder of
4 Respondent's life. These reports have stopped, and the IC does not know the reasons why. The
5 IC's lack of knowledge and information is due mainly to Respondent's repeated failures to appear
6 before the IC and cooperate with it. Further, Respondent didn't return for his second appointment
7 with the psychiatrist in June, 2010.

8 6. This is, importantly, the continuation of a pattern of willful failures by Respondent
9 to appear and cooperate with the IC. His failure to appear and cooperation has, and continues to,
10 interfere with the IC's duty: to investigate pending complaints received about Respondent and
11 protect the public. His pattern of willful failure to appear before, and cooperate with, the IC is
12 now ongoing for over two (2) years.

13 7. Respondent on several occasions has admitted to refilling and taking patient
14 prescriptions for his own personal use. He also has admitted to asking patient(s) to fill
15 prescriptions for his own personal use.

16 8. Respondent has also falsely asserted on numerous occasions, including but not
17 limited to while being interviewed on the Las Vegas morning talk show "The Morning Blend",
18 that he is Board certified with the American Board of Family Medicine when he is not. He has not
19 been Board certified with them since 1999.

20 Count I

21 9. All of the allegations in the above paragraphs are hereby incorporated by reference as
22 though fully set forth herein.

23 10. Nevada Revised Statute Section 630.301(9) provides that the engaging in conduct
24 that brings the medical profession into disrepute is grounds for initiating discipline against a
25 licensee.

26 11. Respondent's continued pattern of failing to appear and cooperate with the IC;
27 failing to maintain compliance with the 2008 agreement with the IC; asking patients to fill
28 prescriptions for his personal use and taking patients prescriptions for personal use; and,

1 communicating that he is Board certified in family medicine when he is not, all constitute conduct
2 that brings the medical profession into disrepute.

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

6 **Count II**

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

9 14. Nevada Revised Statute Section 630.306(2)(a) provides that engaging in any
10 conduct which is intended to deceive is grounds for initiating discipline against a licensee.

11 15. Respondent's aforementioned communications of a false Board certification;
12 obtaining patient prescriptions for his personal use; and, utilizing patients to obtain prescriptions
13 for his personal use constitute conduct which was intended to deceive.

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

17 **Count III**

18 17. All of the allegations in the above paragraphs are hereby incorporated as if fully set
19 forth herein.

20 18. Nevada Revised Statute Section 630.3065(2)(a) provides that the willful failure to
21 comply with an Order of a committee designated by the Board to investigate a complaint against a
22 physician is grounds for initiating discipline against a licensee.

23 19. The aforementioned several failures to appear and cooperate with the IC constitute
24 willful failures to comply with an Order of a committee designated by the Board.

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

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Count IV

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

22. Nevada Revised Statute Section 630.301(7) provides that the engaging in conduct that violates the trust of a patient and exploits the relationship between the physician and the patient for financial or other gain is grounds for initiating discipline against a licensee.

23. 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.

Count V

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

25. Nevada Revised Statute Section 630.306(2)(c) provides that the violation of a regulation adopted by the State Board of Pharmacy is grounds for initiating discipline against a licensee.

26. NAC 639.945 was violated by Respondent under the foregoing.

27. 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.

Count VI

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

29. Nevada Revised Statute Section 630.3062(3) provides that administering, dispensing or prescribing any controlled substance to or for himself except as authorized by law is grounds for initiating discipline against a licensee.

30. NAC 639.945 was violated by Respondent through his actions as more fully described above.

31. 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.

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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);

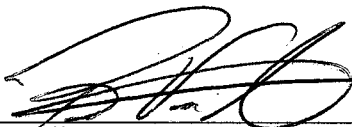
3. That the Nevada State Board of Medical Examiners determine what sanctions it determines to impose if it determines there has been a violation or violations of the Medical Practice Act (Nevada Revised Statutes Chapter 630) committed by Respondent; and

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 7th day of October, 2011.

INVESTIGATIVE COMMITTEE OF THE
NEVADA STATE BOARD OF MEDICAL EXAMINERS

By: 
Bradley O. Van Ry, Esq.
Attorney for the Investigative Committee

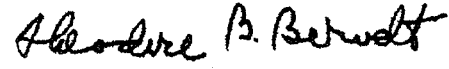
VERIFICATION

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STATE OF NEVADA)
 : ss.
COUNTY OF WASHOE)

Theodore B. Berndt, 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 7th day of October, 2011.



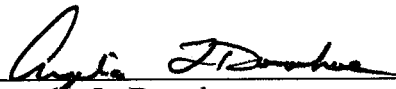
THEODORE B. BERNDT, M.D.

CERTIFICATE OF MAILING

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

Kristopher Rath, Esq.
Hutchison & Steffen, LLC
10080 W. Alta Dr., Ste. 200
Las Vegas, NV 89145

Dated this 7th day of October 2011.



Angelia L. Donohoe
Legal Assistant