

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

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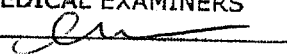
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5 **In The Matter of Charges and** )  
6 **Complaint Against** )  
7 **ROMULDAO ARAGON, JR., M.D.** )  
8 **Respondent.** )

Case No. 11-12861-1

**FILED**

**JUL 25 2011**

NEVADA STATE BOARD OF  
MEDICAL EXAMINERS

By: 

10  
11 **COMPLAINT**

12 The Investigative Committee of the Nevada State Board of Medical Examiners, composed  
13 at the time of filing was approved by Charles N. Held, M.D., Theodore Berndt, M.D.,  
14 Ms. Valerie Clark, BSN, RHU, LUTCF, having a reasonable basis to believe that  
15 Romulado Aragon, M.D., hereinafter referred to as "Respondent," has violated the provisions of  
16 NRS Chapter 630, hereby issues its formal Complaint, stating the Investigative Committee's  
17 charges and allegations, as follows:

18 1. Respondent is currently licensed in active status (License No. 9214), and was so  
19 licensed on November 4, 1999 by the Nevada State Board of Medical Examiners pursuant to the  
20 provisions of Chapter 630 of the Nevada Revised Statutes.

21 2. Respondent practices primarily care and urgent care medicine in the Las Vegas  
22 area. Between August 2008 and May 2011, Respondent practiced at a location which housed  
23 FirstMed Urgent Care as well as Prime Care Medical Services, Respondent's private practice.

24 3. Respondent served as medical director for FirstMed Urgent Care between August  
25 2008 and February 2010.

26 4. While acting as medical director of FirstMed Urgent Care, Respondent pre-  
27 signed/pre-stamped blank prescriptions. These pre-signed blank prescriptions were used by

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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 Respondent but also by nurse practitioner students/externs who were not yet legally allowed to  
2 prescribe.

3 5. Respondent also pre-signed physical examination forms for such uses as pre-  
4 employment physicals. These pre-signed forms were used by nurse practitioner students/externs  
5 both at times when Respondent was and times when he was not present and when no other  
6 licensed physician or physician was present at FirstMed Urgent Care or at Prime Care Medical  
7 Services.

8 **Count I**

9 6. NRS 630.304(4) provides that signing a blank prescription form is grounds for  
10 initiating discipline against a licensee.

11 7. Respondent has indicated that it has been his practice to stamp and/or sign blank  
12 prescriptions in his practice and accordingly is in violation of NRS 630.304(4).

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

15 **Count II**

16 9. NRS 630.305(1)(e) provides that aiding, assisting, employing or advising, directly  
17 or indirectly, any unlicensed person to engage in the practice of medicine contrary to the  
18 provisions of [Chapter 630] or regulations of the Board is grounds for initiating discipline against  
19 a licensee.

20 10. Respondent allowed unlicensed nurse practitioner students/externs to engage in the  
21 practice of medicine when he allowed them to use pre-signed blank physical examination forms  
22 and pre-signed blank prescriptions during times when he was present at FirstMed Urgent Care and  
23 at times when he was absent from the premises and accordingly is in violation of  
24 NRS 630.305(1)(e).

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

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**Count III**

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2 12. NRS 630.306(2)(a) provides that engaging in any conduct which is intended to  
3 deceive is grounds for initiating discipline against a licensee.

4 13. Respondent allowed unlicensed individuals to complete pre-signed physical  
5 examination forms indicating that Respondent has examined the patient when he had not  
6 examined the patient or was even present at the time of the examination.

7 14. Respondent also allowed unlicensed individuals to complete pre-signed blank  
8 prescriptions.

9 15. Respondent's use of blank, pre-signed prescriptions and physical examination  
10 forms is conduct which is deceptive and accordingly Respondent is in violation of  
11 NRS 630.306(2)(a).

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

**Count IV**

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15 17. NRS 630.306(2)(b) provides that engaging in conduct which the Board has  
16 determined is a violation of the standards of practice established by regulation of the Board is  
17 grounds for initiating disciplinary action against a licensee.

18 18. Section 630.230(1)(j) of the Nevada Administrative Code (NAC) provides that  
19 failure to provide adequate supervision of an advanced practitioner of medicine is prohibited  
20 standard of practice.

21 19. NAC 630.490(9)(a) provides that a collaborating physician shall ensure that an  
22 advanced practitioner of nursing does not use pre-signed prescriptions.

23 20. The advanced practitioners of nursing that Respondent collaborated with and/or  
24 continues to collaborate with have been allowed and directed to utilize pre-signed or pre-stamped  
25 prescriptions pads in the Respondent's practice.

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

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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 25<sup>th</sup> day of July, 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

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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 25<sup>th</sup> day of July, 2011.

Theodore B. Berndt  
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 25<sup>th</sup> day of July 2011, I served a file copy of the COMPLAINT, along with FINGERPRINT information via USPS e-certified mail to the following:

Romulado Aragon, M.D.  
2870 S. Maryland Pkwy., Ste. 120  
Las Vegas, NV 89109

Dated this 25<sup>th</sup> day of July 2011.



Angelia L. Donohoe  
Legal Assistant