

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

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

* * * * *

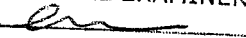
In The Matter of Charges and)
)
Complaint Against)
)
DAMON SACCO, M.D.)
)
Respondent.)
)

Case No. 11-29622-1

FILED

JUL 12 2011

NEVADA STATE BOARD OF
MEDICAL EXAMINERS

By: 

FIRST AMENDED COMPLAINT

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

1. Dr. Sacco is currently licensed in active status (License No. 13323), and was so licensed on November 4, 2009 by the Nevada State Board of Medical Examiners pursuant to the provisions of Chapter 630 of the Nevada Revised Statutes. Between August 5, 2005 and November 4, 2009, Dr. Sacco held a Special Purpose License in the state of Nevada.

2. On December 9, 2010, the Colorado Medical Board issued Dr. Sacco a letter of admonition based upon his care of a patient in 2005 when he failed to recommend additional imaging studies for the patient based upon findings of digital radiographs which caused a two week delay in diagnosis and treatment.

Count I

3. Section 630.301(3) the Nevada Revised Statutes (NRS) provides that any disciplinary action, including the revocation, suspension, modification or limitation of a license to

1 practice any type of medicine taken by another state is grounds for initiating disciplinary action
2 against a licensee.

3 4. Dr. Sacco was disciplined by the Colorado Medical Board as described above and
4 accordingly, is in violation of NRS 630.301(3).

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

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

8 1. That the Nevada State Board of Medical Examiners give Dr. Sacco notice of the
9 charges herein against him and give him notice that he may file an answer to the Complaint herein
10 as set forth in Section 630.339 of the Nevada Revised Statutes within twenty (20) days of service
11 of the Complaint.

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

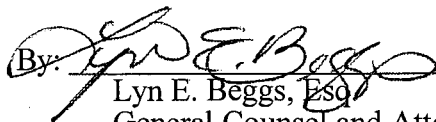
14 3. That the Nevada State Board of Medical Examiners determine what sanctions it
15 determines to impose if it determines there has been a violation or violations of the Medical
16 Practice Act (Nevada Revised Statutes Chapter 630) committed by Dr. Sacco; and

17 4. That the Nevada State Board of Medical Examiners make, issue and serve on
18 Dr. Sacco its findings of facts, conclusions of law and order, in writing, that includes the sanctions
19 imposed; and

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

22 DATED this 12th day of July, 2011.

23 THE NEVADA STATE BOARD OF MEDICAL EXAMINERS

24
25 By: 

26 Lyn E. Beggs, Esq.
27 General Counsel and Attorney for the Investigative Committee
28

VERIFICATION

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

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 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 12th day of July, 2011.

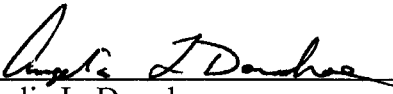
Theodore B. Berndt
THEODORE B. BERNDT, M.D.

CERTIFICATE OF MAILING

I hereby certify that I am employed by Nevada State Board of Medical Examiners and that on 13th day of July 2011, I served a file copy of the AMENDED COMPLAINT, SETTLEMENT, WAIVER AND CONSENT AGREEMENT, along with a letter from Lyn, by mailing via USPS e-certified mail to the following:

Damon Sacco, M.D.
504 Redwood Blvd., #300
Novato, CA 94947

Dated this 13th day of July 2011.



Angelia L. Donohoe
Legal Assistant