

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

3 \* \* \* \* \*

4 **In The Matter of Charges and** )  
5 )  
6 **Complaint Against** )  
7 )  
8 **STEVE WONG, M.D.** )  
9 )  
10 **Respondent.** )

Case No. 10-12651-1  
**FILED**  
JUN 29 2011

NEVADA STATE BOARD OF  
MEDICAL EXAMINERS  
By: 

11 **FIRST AMENDED COMPLAINT**

12 The Investigative Committee of the Nevada State Board of Medical Examiners, composed  
13 at the time filing of Charles N. Held, M.D., Chairman, Theodore B. Berndt, M.D., Member, and  
14 Valerie J. Clark, Member, having a reasonable basis to believe that Steve Wong, M.D., hereinafter  
15 referred to as Respondent, has violated the provisions of NRS Chapter 630, hereby issues its  
16 formal Complaint, stating the Investigative Committee's charges and allegations, as follows:

17 1. Respondent is currently licensed in active status (License No. 9020), and has been  
18 so licensed since July 1, 1999 by the Nevada State Board of Medical Examiners pursuant to the  
19 provisions of Chapter 630 of the Nevada Revised Statutes.

20 **FACTUAL ALLEGATIONS AS TO COUNTS I AND II**

21 2. Patient A was a twenty-three year old (23) male at the time of the incidents in  
22 question. His true identity is not disclosed to protect his privacy, but his identity is disclosed in the  
23 Patient Designation served on Respondent along with a copy of this Complaint.

24 3. Patient A suffered from pain and swelling of his jaw along with difficulty  
25 swallowing. He was admitted to the hospital on May 27, 2008. He was found to have  
26 submandibular/sublingual cellulitis. As a result, the oral surgeon decided to extract the lower right  
27 and lower left wisdom teeth. Respondent was to be the anesthesiologist for the surgery.

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1           4.       A CT scan of the neck on May 27, 2008 showed severe wisdom tooth infection  
2 with impending Ludwig's angina and swelling present in multiple areas of the oropharynx and  
3 neck. Another CT scan of the neck on May 30, 2008 clearly showed diffuse progression of  
4 sublingual abscess, new progression into the submandibular space, fluid collections consistent  
5 with abscesses in the left supraclavicular and retropharyngeal areas from C2 to C5, and  
6 anterior neck inferiorly along strap muscles to the level of the anterosuperior mediastinum, and  
7 true Ludwig's Angina.

8           5.       This clinical scenario along with the physical exam were clear red flags that airway  
9 protection could easily be jeopardized during the planned surgery. Loss of a controlled airway  
10 would lead to hypoxia and hypercarbia. Respondent also missed the significance of the second  
11 CT scan and thought that it showed essentially the same things as the initial CT scan.

12           6.       At the time of surgery, Respondent utilized an LMA airway device instead of an  
13 Endotracheal tube. The use of an LMA does not provide optimal airway protection as it does not  
14 enter the trachea and has no cuff to ensure adequate seal. The LMA use as an airway device was  
15 strongly contraindicated because of the presence of Patient A's multiple oropharyngeal abscesses  
16 with Ludwig's angina, Patient A's morbid obesity and the identification of preoperative trismus.

17           7.       The surgery was performed on May 31, 2008. As the LMA was removed by  
18 Respondent at the end of the surgery, Patient A began moving around a lot requiring four people  
19 to restrain him. The pulse Oxygen was not picking up signal and was without a good wave form  
20 on the pletysmograph.

21           8.       Bradycardia began concurrently with removal of the LMA, and asystole quickly  
22 followed. Patient A coded and was without an open airway for eleven (11) minutes into the code  
23 process. Respondent finally placed an Endotracheal tube on Patient A eleven (11) minutes into the  
24 code process. By the time Patient A arrived at the ICU, his neurological status was documented  
25 and consistent with severe anoxic injury.

26           9.       The prolonged and severe anoxic event at the close of surgery on May 31, 2008 led  
27 to severe brain injury. Patient A suffered brain death on June 10, 2008.

28       ///

1 10. Additionally, the record keeping of events immediately following surgery and  
2 during the anoxic event was poor. The vital signs monitoring machine records were not produced  
3 or made available. Respondent, moreover, admits that the LMA was removed for six to eight  
4 (6-8) minutes in his letter to the Board. There is no mention of this in the OR notes.

5 **FACTUAL ALLEGATIONS AS TO COUNTS III, IV AND V**

6 11. On or about September 15, 1992, Respondent was arrested for a misdemeanor in  
7 Bakersfield, Kern County, California. The case was ultimately dismissed.

8 12. On or about October 19, 2002, Respondent was arrested for a felony in  
9 Bakersfield, Kern County, California. After a no contest plea, the case was ultimately dismissed.

10 13. Respondent failed to disclose one or both of the arrests as required by Nevada law  
11 on six (6) separate license renewal forms. He failed to do so in 1999, 2001, 2003, 2005, 2007 and  
12 2009.

13 14. On his license renewal form dated 5-18-09, Respondent answered no to  
14 Question six (6) concerning criminal investigations, arrests and charges.

15 15. On his license renewal form dated 4-20-07, Respondent answered no to the  
16 question concerning criminal investigations, arrests and charges.

17 16. On his license renewal form dated 2-15-05, Respondent answered no to the  
18 question concerning criminal investigations, arrests and charges.

19 17. On his license renewal form dated 4-8-03, Respondent answered no to  
20 Question six (6) concerning criminal investigation and charges.

21 18. On his license renewal form dated 5-29-01, Respondent answered no to Question  
22 six (6) concerning criminal investigation and charges.

23 19. On his Application for Initial Registration form dated 5-19-99,  
24 Respondent answered no to Question "f" concerning criminal investigation and charges.

25 **Count I**

26 20. All of the allegations contained in the above paragraphs are hereby incorporated by  
27 reference as though fully set forth herein.

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1 fraud or misrepresentation or by any false, misleading, inaccurate or incomplete statement is  
2 grounds for initiating discipline against a licensee.

3 31. Respondent's failure to answer truthfully on six (6) successive applications for  
4 licensure or renewal with the Nevada State Board of Medical Examiners is a violation of  
5 Nevada Revised Statute Section 630.304(1).

6 32. By reason of the foregoing, Respondent is subject to discipline by the  
7 Nevada State Board of Medical Examiners as provided in Section 630.352 of the  
8 Nevada Revised Statutes.

9 **Count IV**

10 33. All of the allegations in the above paragraphs are hereby incorporated by reference as  
11 though fully set forth herein.

12 34. Nevada Revised Statute Section 630.301(9) provides that the engaging in conduct  
13 that brings the medical profession into disrepute is grounds for initiating discipline against a  
14 licensee.

15 35. Respondent's failure to disclose the foregoing to the  
16 Nevada State Board of Medical Examiners constitutes conduct that brings the medical profession  
17 into disrepute.

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

21 **Count V**

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

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

26 39. Respondent's aforementioned failure to disclose his two (2) arrests to the  
27 Nevada State Board of Medical Examiners constitutes conduct which was intended to deceive.

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

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

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

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

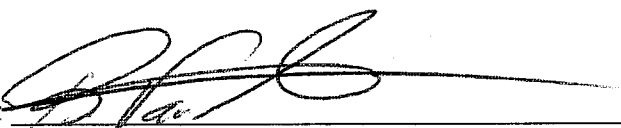
11           3. That the Nevada State Board of Medical Examiners determine what sanctions it  
12 determines to impose if it determines there has been a violation or violations of the  
13 Medical Practice Act (Nevada Revised Statutes Chapter 630) committed by Respondent; and

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

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

19           DATED this 29<sup>th</sup> day of June, 2011.

20           THE NEVADA STATE BOARD OF MEDICAL EXAMINERS

21  
22           By:   
23           Bradley O. Van Ry, Esq.  
24           Attorney for the Investigative Committee

VERIFICATION

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STATE OF NEVADA            )  
  : ss.  
COUNTY OF DOUGLAS        )

Charles N. Held, 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 First Amended Complaint against the Respondent herein; that he has read the foregoing First Amended 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 First Amended Complaint against Respondent are true, accurate, and correct.

Dated this 29<sup>th</sup> day of June, 2011.

  
\_\_\_\_\_  
CHARLES N. HELD, M.D.

OFFICE OF THE GENERAL COUNSEL

Nevada State Board of Medical Examiners

1105 Terminal Way #301

Reno, Nevada 89502

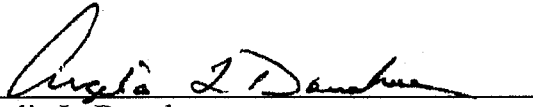
(775) 688-2559

**CERTIFICATE OF MAILING**

I hereby certify that I am employed by Nevada State Board of Medical Examiners and that on 29<sup>th</sup> day of June 2011, I served a file copy of the FIRST AMENDED COMPLAINT, by mailing via USPS certified mail to the following:

Keith Weaver, Esq.  
Lewis, Brisbois, Bisgaard & Smith  
6385 S. Rainbow Blvd., Ste. 600  
Las Vegas, NV 89118

Dated this 29<sup>th</sup> day of June 2011.



Angelia L. Donohoe  
Legal Assistant

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