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

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In The Matter of Charges and	)	Case No. 12-12610-1
Complaint Against	)	
GOBINDER SINGH CHOPRA, M.D.,	· )	FILED
	)	MAR 2 0 2012
Respondent.	_)	NEVADA STATE BOARD OF MEDICAL EXAMINERS By:

## **COMPLAINT**

The Investigative Committee 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., Member, by and through Bradley O. Van Ry, Esq., Deputy General Counsel for the board, and counsel for the Investigative Committee, having a reasonable basis to believe that Gobinder Singh Chopra, M.D., hereinafter referred to as Respondent, has violated the provisions of Nevada Revised Statutes (NRS) Chapter 630, hereby issues its formal Complaint, stating the Investigative Committee's charges and allegations, as follows:

- 1. Respondent is currently licensed in active status (License No. 8963), and has been so licensed since April 22, 1999 by the Nevada State Board of Medical Examiners pursuant to the provisions of Chapter 630 of the NRS.
- 2. On or about December, 2010, Respondent and his practice, G.S. Chopra, M.D., Chtd., were investigated by the Department of Health and Human Services Office of Inspector General for Medicare billing issues. The investigation subsequently continued, and negotiations ensued. Negotiations proceeded and culminated in a settlement agreement executed by Respondent on September 29, 2011.

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- 3. The investigations, charges, negotiations and settlement all stemmed from patient billing and records submitted to Medicare. Respondent's records were not accurate or complete as required under Nevada law.
- Additionally, Respondent failed to disclose the investigation and/or the formal 4. charges against him to the Nevada State Board of Medical Examiners as required by Nevada law on his 2011 license renewal form.
- 5. On his license renewal form dated 6-6-11, Respondent answered no to Question six (6) concerning investigations for violation of federal law. Respondent further answered no to Question twelve (12) on the same license renewal form concerning other governmental entities investigating Respondent with violating the law.

## Count I

- 6. All of the allegations in the above paragraphs are hereby incorporated as if fully set forth herein.
- 7. NRS Section 630.304(1) provides that obtaining, maintaining or renewing or attempting to obtain, maintain or renew a license to practice medicine by bribery, fraud or misrepresentation or by any false, misleading, inaccurate or incomplete statement is grounds for initiating discipline against a licensee.
- 8. 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 NRS.

## Count II

- 9. All of the allegations in the above paragraphs are hereby incorporated as if fully set forth herein.
- 10. NRS Section 630.301(9) provides that the engaging in conduct that brings the medical profession into disrepute is grounds for initiating discipline against a licensee.
- 11. Medicare's billing investigation of Respondent, as well as failure to disclose the foregoing to the Nevada State Board of Medical Examiners, constitute conduct that brings the medical profession into disrepute.

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12. 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 NRS.

## **Count III**

- 13. All of the above allegations in the above paragraphs are hereby incorporated as if fully set forth herein.
- NRS Section 630.3062(1) provides that the failure to maintain timely, legible, 14. accurate and complete medical records relating to the diagnosis, treatment and care of a patient is grounds for initiating discipline against a licensee.
- 15. Medicare's billing investigation of Respondent arise from and/or are related to incomplete and inaccurate medical records of patients and the diagnosis, treatment and care of patients.
- 16. 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 NRS.

## 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 NRS 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 agrees upon to impose if it finds and concludes that there has been a violation or violations of the Medical Practice Act (NRS 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,

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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

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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 day of March, 2012.

> INVESTIGATIVE COMMITTEE OF THE NEVADA STATE BOARD OF MEDICAL EXAMINERS

By:

Bradley O. Van Ry, Esq. Deputy General Counsel Counsel for the Investigative Committee

## OFFICE OF THE GENERAL COUNSEL Nevada State Board of Medical Examiners 1105 Terminal Way #301

## VERIFICATION

STATE OF NEVADA	)
COUNTY OF WASHOE	: ss. )

Theodore B. Berndt, M.D., hereby deposes and states under penalty of perjury under the laws of the state of Nevada that I am 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 I have read the foregoing Complaint; and that based upon information discovered during the course of the investigation into a complaint against Respondent, that I believes the allegations and charges in the foregoing Complaint against Respondent are true, accurate, and correct.

Dated this \_\_\_\_\_\_ day of March, 2012.

Theodore B. Berndt, M.D.

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## **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 March 2012; I served a filed copy of the Complaint, Settlement letter & Fingerprint information, via USPS e-certified mail to the following:

Gobinder Chopra, M.D. 3201 South Maryland Parkway, Ste. 314 Las Vegas, NV 89109

Dated this 20<sup>th</sup> day of March 2012.

Angelia L. Donohoe Legal Assistant