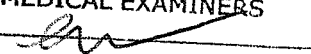


BEFORE THE BOARD OF MEDICAL EXAMINERS
OF THE STATE OF NEVADA

* * * * *

In The Matter of Charges and)
Complaint Against)
MAURICE DUBOIS GREGORY, JR., M.D.,)
Respondent.)

Case No. 12-7067-1

FILED
MAY 11 2012
NEVADA STATE BOARD OF
MEDICAL EXAMINERS
By: 

COMPLAINT

The Investigative Committee of the Nevada State Board of Medical Examiners ("Board"), comprised of Theodore B. Berndt, M.D., Chairman, Valerie J. Clark, BSN, RHU, LUTCF, Member, and Michael J. Fischer, M.D., Member, by and through its counsel, Bradley O. Van Ry, Esq., Deputy General Counsel, having a reasonable basis to believe that Maurice DuBois Gregory, Jr., M.D., hereinafter referred to as "Respondent," has violated the provisions of Nevada Revised Statutes (NRS) Chapter 630, the Medical Practice Act ("MPA"), 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. 4894), and he has been so licensed since July 9, 1983, by the Nevada State Board of Medical Examiners pursuant to the provisions of NRS 630.

2. From 2005 to 2011, Respondent provided medical care, including diagnosis of chronic pain and treatment of chronic pain for Patients A-E. The medical care and treatment of Patients A-E outlined below was a deviation from the applicable standard of care.

3. Relatedly, the MPA and related regulations establish standards of practice for the treatment of pain patients and adopt by reference the "Model Guidelines¹ for the Use of Controlled Substances for the Treatment of Pain" published by the Federation of State Medical Boards of the

¹ In 2004, the Federation of State Medical Boards changed the title of the guidelines to the "Model Policy for the Use of Controlled Substances for the Treatment of Pain."

1 United States, Inc. ("Model Policy"). This policy establishes adequate treatment policies for the
2 treatment of chronic pain, including the use of opioids. It establishes that physicians have a
3 responsibility to minimize the potential for abuse and diversion of controlled substances and to
4 follow related pain-treatment policies. Respondent, unfortunately, failed to follow the Model
5 Policy as to Patients A-E.

6 4. Patient A was a fifty-eight (58) year-old male at the time of the incidents in question.
7 His true identity is not disclosed to protect his privacy, but his identity is disclosed in the
8 Patient Designation served on Respondent along with a copy of this Complaint.

9 5. Upon information and belief, Patient A sought medical care and treatment for back
10 and shoulder pain with Respondent from August 10, 2007 to November 9, 2010.

11 6. On or about September 8, 2008, Patient A produced a negative Urine Drug Test
12 ("UDT") for prescribed medications, controlled substances and/or illegal drugs, even though he
13 had been prescribed Oxycontin, 80 m.g., 120 count, every thirty (30) days,
14 hydrocodone, 500 m.g./7.5 m.g., 120 count, every thirty (30) to sixty (60) days, and
15 Soma, 350 m.g., 120 count, every thirty (30) days for pain and muscle relaxing by Respondent.
16 Patient A again had negative UDTs on or about February 22, 2009 and February 24, 2009. All the
17 while, Respondent was still prescribing the above described Oxycontin, hydrocodone and Soma to
18 Patient A.

19 7. Patient A should have been discharged for the failed UDTs, or at a minimum,
20 should not have been prescribed more opioids under the standard of care.

21 8. Patient B was a fifty-nine (59) year-old female at the time of the incidents in
22 question. Her true identity is not disclosed to protect her privacy, but her identity is disclosed in the
23 Patient Designation served on Respondent along with a copy of this Complaint.

24 9. Upon information and belief, Patient B sought medical care and treatment for right
25 leg and hip pain with Respondent from March 12, 2007 to June 9, 2010.

26 10. Respondent routinely prescribed Patient B two (2) long acting pain medications on
27 a monthly basis, Oxycontin, 80 m.g., 180 count, every thirty (30) days; and

28 ///

1 methadone, 10 m.g., 120 count, every thirty (30) days. This was improper due to the extremely
2 long and variable half-life of methadone and its combination with the Oxycontin.

3 11. The Oxycontin and methadone should have never been prescribed together, unless
4 transitioning from one medication to the other, under the standard of care.

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

8 13. Upon information and belief, Patient C sought medical care and treatment for pain
9 and multiple conditions related to incomplete quadriplegia with Respondent from
10 September 4, 2008 to May 5, 2010.

11 14. Respondent improperly prescribed morphine, 100 m.g., 90 count, every thirty (30)
12 days, and Oxycontin, 80 m.g., 105 count, every 21 days, together for Patient C. The Oxycontin
13 should have been tapered slowly while adding the morphine over a period of weeks under the
14 standard of care.

15 15. Patient D was a forty-two (42) year-old male at the time of the incidents in question.
16 His true identity is not disclosed to protect his privacy, but his identity is disclosed in the
17 Patient Designation served on Respondent along with a copy of this formal Complaint.

18 16. Upon information and belief, Patient D sought medical care and treatment for pain
19 with Respondent from August, 2005 to September, 2005.

20 17. Respondent improperly prescribed Oxycontin, 120 m.g., 30 count, every 15 days,
21 along with methadone, 40 m.g., 30 count, every seven (7) days. Again, these two (2) long acting
22 medications should not have been prescribed together due to the variable half-life of methadone
23 and its combination with the Oxycontin, under the standard of care.

24 18. Patient E was a fifty-four (54) year-old male at the time of the incidents in question.
25 His true identity is not disclosed to protect his privacy, but his identity is disclosed in the
26 Patient Designation served on Respondent along with a copy of this formal Complaint.

27 19. Upon information and belief, Patient E sought medical care and treatment for leg,
28 feet and back pain with Respondent from January 13, 2004 to January 20, 2011.

1 same circumstances by physicians in good standing practicing in the same specialty or field under
2 NRS 630.306(7).

3 30. By reason of the foregoing, Respondent is subject to discipline by the
4 Nevada State Board of Medical Examiners as provided in NRS 630.352.

5 **Count III**

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

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

11 33. NAC 630.187 establishes standards of practice applicable to the treatment of pain
12 patients and adopts by reference the Model Policy for the Use of Controlled Substances for the
13 Treatment of Pain published by the Federation of State Medical Boards of the United States, Inc.

14 34. NAC 630.230(1)(k) provides that the engaging in the practice of writing
15 prescriptions for controlled substances to treat acute pain or chronic pain in a manner that deviates
16 from the guidelines set forth in the Model Policy is grounds for initiating disciplinary action
17 against a licensee.

18 35. Respondent's care and treatment of Patients A-E, as described above, constitutes a
19 violation of the Model Policy.

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

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

23 1. That the Nevada State Board of Medical Examiners give Respondent notice of the
24 charges herein against him and give him notice that he may file an answer to the
25 formal Complaint herein as set forth in NRS 630.339 within twenty (20) days of service of the
26 formal Complaint;

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

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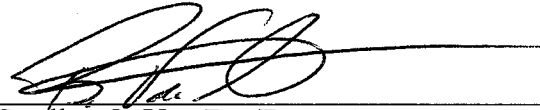
3. That the Nevada State Board of Medical Examiners determine what sanctions it will impose if it determines there has been a violation or violations of the Medical Practice Act (NRS Chapter 630) committed by Respondent;

4. That the Nevada State Board of Medical Examiners make, issue and serve on Respondent its findings of fact, 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 11th day of May, 2012.

INVESTIGATIVE COMMITTEE OF THE
NEVADA STATE BOARD OF MEDICAL EXAMINERS

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

OFFICE OF THE GENERAL COUNSEL
Nevada State Board of Medical Examiners
1105 Terminal Way #301
Reno, Nevada 89502
(775) 688-2559

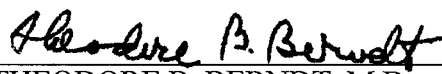
VERIFICATION

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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 formal Complaint against the Respondent herein; that he has read the foregoing formal Complaint; and that based upon information discovered during the course of the investigation into a complaint against Respondent, he believes the allegations and charges in the foregoing formal Complaint against Respondent are true, accurate and correct.

Dated this 11th day of May, 2012.



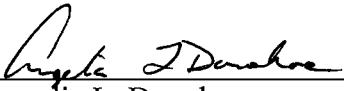
THEODORE B. BERNDT, M.D.

CERTIFICATE OF MAILING

I hereby certify that I am employed by Nevada State Board of Medical Examiners and that on 11th day of May 2012; I served a filed copy of the Complaint, Patient Designation & Fingerprint information, via USPS e-certified mail to the following:

Maurice DuBois Gregory Jr., M.D.
2020 Goldring Ave., Ste. 503
Las Vegas, NV 89106

Dated this 11th day of May 2012.



Angelia L. Donohoe
Legal Assistant

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