

ORIGINAL

BEFORE THE BOARD OF MEDICAL EXAMINERS
OF THE STATE OF NEVADA

* * * * *

In the Matter of Charges and)
Complaint Against)
NERI BLANCO-CUEVAS, M.D.,)
Respondent.)

Case No. 12-12338-1

FILED

MAR - 8 2012

NEVADA STATE BOARD OF
MEDICAL EXAMINERS

By: _____

COMPLAINT

The Investigative Committee of the Nevada State Board of Medical Examiners (Board), composed of Theodore B. Berndt, M.D., Valerie J. Clark, BSN, RHU, LUTCF, and Michael J. Fisher, M.D., at the time of the authorization of filing this formal complaint, by and through Edward O. Cousineau, Esq., Deputy Executive Director for the Board, and counsel for the Investigative Committee, having a reasonable basis to believe that Neri Blanco-Cuevas, 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 was originally issued a license to practice medicine in the state of Nevada on February 26, 2004. Respondent's licensure status is currently active, and at all times alleged herein, Respondent was licensed by the Board, pursuant to the provisions of NRS 630.

2. Patient A was a fifty-four-year-old female at the time of the events at issue. Her true identity is not disclosed herein to protect her privacy, but is disclosed in the Patient Designation served on Respondent along with a copy of this Complaint.

3. On October 26, 2007, Respondent performed a laparoscopic cholecystectomy with an intraoperative cholangiogram on Patient A at Desert Springs Hospital in Las Vegas, Nevada. The

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OFFICE OF THE GENERAL COUNSEL
Nevada State Board of Medical Examiners
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1 medical records related to the surgical procedure specify it was without complication and Patient A
2 was discharged to home that same day.

3 4. On November 5, 2007, Patient A presented to Summerlin Hospital in Las Vegas,
4 Nevada with complaints of abdominal pain. It was determined she was suffering from jaundice and
5 potentially sepsis. Respondent evaluated Patient A that same day and decided that an exploratory
6 laparotomy should be accomplished.

7 5. The exploratory laparotomy was performed on November 6, 2007. The operative
8 note, which was dictated over a month and half after the surgical procedure, indicates that an injury
9 to Patient A's common bile duct was identified. The area was debrided. Respondent then placed a
10 "J ureteral stent, 8.0-French," in both ends to repair the bile duct injury. The operative note indicates
11 that Patient A tolerated the surgical procedure well with no complications. Patient A was discharged
12 to home a few days after the surgical procedure.

13 6. On November 11, 2007, Patient A again presented to Summerlin Hospital with
14 complaints of abdominal pain anew. Diagnostic testing determined Patient A's common bile duct
15 was obstructed and that the previously placed stent had migrated out of position. Shortly thereafter,
16 Patient A underwent a choledochojejunostomy, which was also performed by Respondent. Patient A
17 effectively recovered from this surgical procedure and was discharged to home thereafter.

18 7. It is now alleged by the Investigative Committee that Respondent's care and
19 treatment of Patient A during the November 6, 2007 surgical procedure constitutes malpractice, as
20 Respondent failed to use the reasonable care, skill, or knowledge ordinarily used under similar
21 circumstances when she used an inappropriate stent to repair Patient A's common bile duct injury,
22 failed to place or implant a T-tube and appropriate drainage devices during the surgical procedure,
23 and failed to follow up with a post-operative X-ray of the operative area to confirm proper
24 placement and positioning of the stent.

25 8. Based upon the foregoing, Respondent has violated NRS 630.301(4), and is subject
26 to discipline as provided by NRS 630.352.

27 WHEREFORE, the Investigative Committee prays:

28 1. That the Board set a time and place for a formal hearing;

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2. That the Board give Respondent notice of the charges herein against her, the time and place set for the hearing, and the possible sanctions against her;


3. That the Board determine what sanctions it determines to impose for the violation or violations committed by Respondent;

4. That the Board make, issue and serve on Respondent its findings of facts, conclusions of law and order, in writing, that includes the sanctions imposed;

5. That the Board take such other and further action as may be just and proper in these premises.

DATED this 7th day of March, 2012.

INVESTIGATIVE COMMITTEE OF THE
NEVADA STATE BOARD OF MEDICAL EXAMINERS

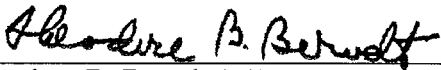
By: 
Edward O. Cousineau, Esq.
Deputy Executive Director
and Counsel for the Investigative Committee

VERIFICATION

1 STATE OF NEVADA)
2 : ss.
3 COUNTY OF WASHOE)

4 Theodore B. Berndt, M.D., hereby deposes and states under penalty of perjury under the
5 laws of the state of Nevada that he is the Chairman of the Investigative Committee of the Nevada
6 State Board of Medical Examiners that authorized the foregoing Complaint against the
7 Respondent herein; that he has read the foregoing Complaint; and that based upon information
8 discovered during the course of the investigation into a complaint against Respondent, that he
9 believes the allegations and charges in the foregoing Complaint against Respondent are true,
10 accurate, and correct.

11 Dated this 7th day of March, 2012.

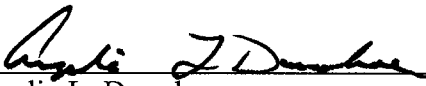
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13 
14 Theodore B. Berndt, M.D.

CERTIFICATE OF MAILING

I hereby certify that I am employed by Nevada State Board of Medical Examiners and that on 9th day of March 2012; I served a filed copy of the Complaint, Patient Designation & Fingerprint information, via USPS e-certified mail to the following:

Neri Blanco-Cuevas, M.D.
4441 S. Eastern Ave.
Las Vegas, NV 89119

Dated this 9th day of March 2012.



Angelia L. Donohoe
Legal Assistant

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