

BEFORE THE BOARD OF MEDICAL EXAMINERS
OF THE STATE OF NEVADA

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In the Matter of Charges and)
Complaint Against)
JOHN BERNARD ABBAGO, CRT,)
Respondent.)

Case No. 13-39730-1

FILED

APR - 1 2013

NEVADA STATE BOARD OF
MEDICAL EXAMINERS
By: 

COMPLAINT

The Investigative Committee (IC) of the Nevada State Board of Medical Examiners (Board), composed at the time of filing this Complaint of Benjamin J. Rodriguez, M.D., Chairman, Beverly A. Neyland, M.D., Member, and Donna A. Ruthe, Member, by and through Bradley O. Van Ry, Esq., General Counsel for the Board and attorney for the IC, having a reasonable basis to believe that John Bernard Abbago, CRT (Respondent), violated the provisions of Nevada Revised Statutes (NRS) Chapter 630 and Nevada Administrative Code (NAC) Chapter 630 (collectively, the Medical Practice Act), hereby issues its formal Complaint, stating the IC's charges and allegations as follows:

1. Respondent is currently licensed (License No. RC2145) to practice respiratory care, and was initially licensed by the Board on June 8, 2012, pursuant to the provisions of the Medical Practice Act.

2. Respondent submitted his application for CRT licensure on January 1, 2012. On that initial licensure application, Respondent answered "yes" to question thirteen (13) involving criminal offenses.

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

3 23. Respondent's actions as outlined above in providing false statements in writing and
4 in person to the Board in support of his application for licensure constitutes the obtaining or
5 attempting to obtain a license to practice respiratory care by fraud, misrepresentation or by any
6 false, misleading, inaccurate or incomplete statement.

7 24. By reason of the foregoing, Respondent is subject to discipline by the Board as
8 provided in NAC 630.555.

9 **COUNT IV**

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

12 26. NAC 630.540(23) provides that a practitioner of respiratory care may be
13 disciplined for a violation of any provision that would subject a practitioner of medicine to
14 discipline pursuant to NRS 630.301 to 630.3065, inclusive.

15 27. NRS 630.306(2)(a) provides that the engaging in any conduct which is intended to
16 deceive is grounds for initiating discipline against a licensee.

17 28. Respondent's actions as outlined above in providing false statements in writing and
18 in person to the Board in support of his application for licensure constitutes engaging in conduct
19 which is intended to deceive.

20 29. By reason of the foregoing, Respondent is subject to discipline by the Board as
21 provided in NAC 630.555.

22 **WHEREFORE**, the IC requests:

23 1. That the Board give Respondent notice of the charges herein against him and give
24 him notice that he may file an answer to the Complaint herein as set forth in NRS 630.339(2)
25 within twenty (20) days of service of the Complaint;

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

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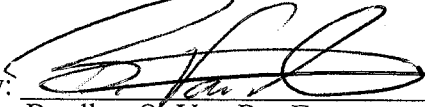
3. That the Board determine the sanctions it will impose if it finds Respondent violated the Medical Practice Act;

4. That the Board make, issue and serve on Respondent, in writing, its findings of fact, conclusions of law and order, which shall include the sanctions imposed; and

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

DATED this 1st day of April, 2013.

INVESTIGATIVE COMMITTEE OF THE
NEVADA STATE BOARD OF MEDICAL EXAMINERS

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

VERIFICATION

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STATE OF NEVADA)
 : ss.
COUNTY OF CLARK)

Benjamin J. Rodriguez, 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 Complaint against the Respondent herein; that he has read the foregoing 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 Complaint against Respondent are true, accurate and correct.

Dated this 1st day of April, 2013.



Benjamin J. Rodriguez, M.D.

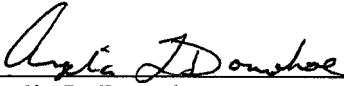
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CERTIFICATE OF MAILING

I hereby certify that I am employed by Nevada State Board of Medical Examiners and that on 1st day of April 2013; I served a filed copy of the COMPLAINT & Settlement Letter, via USPS certified return receipt mail to the following:

John Abbago, CRT
9111 Sea Cove Street
Las Vegas, NV 89123-3086

Dated this 1st day of April, 2013.



Angelia L. Donohoe
Legal Assistant