BEFORE THE BOARD OF MEDICAL EXAMINERS OF THE STATE OF NEVADA

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In the Matter of Charges and) Case No. 13-11856-2
Complaint Against)) ETLED
NAVNEET N. SHARDA, M.D.,) FILED) JUL 2:2 2013
Respondent) 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 the formal Complaint of Benjamin J. Rodriguez, M.D., Chairman, Beverly A. Neyland, M.D., Member, and Donna A. Ruthe, Member, by and through Erin L. Albright, Esq., Board General Counsel and attorney for the IC, having a reasonable basis to believe that Navneet N. Sharda, M.D. (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 in active status (License No. 8200), and has been so licensed by the Board since June 10, 1997, pursuant to the provisions of the Medical Practice Act.
- 2. Respondent and his practice, Cancer Care Center, were investigated by the Department of Health and Human Services Office of the Inspector General for Medicare (OIG) for possible billing fraud.

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3.	During	its	investigation	of	Respondent	and	his	practice,	OIG	discovered	that
Respondent	's patient b	illir	ngs and patient	me	edical records	subi	mitte	ed to Medi	care v	vere not acci	urate
and/or comp	olete as req	uire	d by Nevada l	aw.							

4. The OIG investigation culminated in a settlement agreement executed by Respondent on September 8, 2012.

(Medical Records Violation)

- 5. All of the allegations in the above paragraphs are hereby incorporated as if fully set forth herein.
- 6. NRS 630.3062(1) provides that the failure to maintain timely, legible, accurate and complete medical records relating to the diagnosis, treatment and care of a patient is grounds for initiating discipline against a licensee.
- 7. OIG's billing investigation of Respondent arises from and/or is related to Respondent's incomplete and/or inaccurate medical records for multiple patients.
- 8. By reason of the foregoing, Respondent is subject to discipline by the Board as provided in NRS 630.352.

COUNT II (Disrepute)

- 9. All of the allegations contained in the above paragraphs are hereby incorporated by reference as though fully set forth herein.
- 10. NRS 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. Respondent's aforementioned activities constitute conduct that brings the medical profession into disrepute.
- 12. By reason of the foregoing, Respondent is subject to discipline by the Board as provided in NRS 630.352.

COUNT III (Billing)

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

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	14.	NRS	630.	305	(1)(d)	prov	vides	that	the	charging	for	visits	to	the	physicia	n's	office
which	did no	ot occur	or f	for s	service	s wh	nich '	were	not	rendered	is §	ground	s fo	or ir	nitiating	disc	ipline
agains	t a lice	nsee.															

- 15. As demonstrated by, but not limited to, the above-outlined facts, the patient billing records reviewed by OIG during its investigation demonstrate that Respondent charged for visits to his office that did not occur and/or charged for services that were not rendered.
- 16. By reason of the foregoing, Respondent is subject to discipline by the Board as provided in NRS 630.352.

WHEREFORE, the Investigative Committee prays:

- 1. That the Board 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 NRS 630.339(2) within twenty (20) days of service of the Complaint;
- 2. That the Board set a time and place for a formal hearing after holding an Early Case Conference pursuant to NRS 630.339(3);
- 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 Harday of July, 2013.

INVESTIGATIVE COMMITTEE OF THE NEVADA STATE BOARD OF MEDICAL EXAMINERS

By

General Counsel

General Counsel

Attorney for the Investigative Committee

OFFICE OF THE GENERAL COUNSEL Nevada State Board of Medical Examiners

VERIFICATION

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, he believes the allegations and charges in the foregoing Complaint against Respondent are true, accurate and correct.

Dated this 18^{49} day of 3^{49} day of 3^{49} , 2013

Benjamin J. Rodriguez, M.D.

OFFICE OF THE GENERAL COUNSEL Nevada State Board of Medical Examiners

CERTIFICATE OF SERVICE that I am employed by Nevada State Boar

I hereby certify that I am employed by Nevada State Board of Medical Examiners and that on 22nd day of July 2013; I served a filed copy of the COMPLAINT and Settlement Letter, via USPS e-certified mail to the following:

Navneet Sharda, M.D. 3509 E.Harmon Ave. Las Vegas, NV 89121

Dated this 22nd day of July, 2013.

Angelia L. Donohoe Legal Assistant