

1 3. On or about December 10, 2009, Patient A was admitted with frequent contractions
2 to Summerlin Hospital for preeclampsia workup and the administration of betamethasone for fetal
3 lung maturity.

4 4. Patient A was an in-patient at Summerlin Hospital from December 10, 2009
5 through January 5, 2010. She was being treated for antepartum management of preterm labor
6 contractions, preeclampsia and monitoring of her triplets growth and fetal well-being.

7 5. On or about January 5, 2010, at approximately 2:45 a.m., Patient A was
8 diaphoretic, pale and experiencing severe pain and pressure in her abdomen and pelvis.

9 6. On or about January 5, 2010, at approximately 7:05 a.m., the fetal monitors were
10 nonreactive for all three (3) fetuses and tachycardic at times for Babies B and C. From
11 approximately 7:28 A.M. until 10:18 a.m., Baby A was not tracing and Baby A's heart rate was
12 absent variability with no and/or late decelerations. At approximately 7:45 a.m. and 8:20 a.m.,
13 Baby B was not tracing. At approximately 8:30 a.m., the status of the fetal heart rates for all three
14 (3) babies was changed from Category 1 to Category II.

15 7. On January 5, 2010, at approximately 9:07 a.m., nursing staff left a voice message
16 for Respondent regarding Patient A, which was not returned. At approximately 9:28 a.m., nursing
17 staff again telephoned Respondent. Respondent was informed of Patient A's status and was
18 advised that she should assess Patient A as soon as possible.

19 8. On January 5, 2010, from approximately 9:12 a.m. until 10:18 a.m., Baby A was
20 not tracing.

21 9. At approximately 9:58 a.m. on January 5, 2010, Respondent ordered Patient A
22 undergo a cesarean section. Respondent, however, could not immediately perform the cesarean
23 section because she was waiting for the arrival of her surgical assistant. At approximately
24 10:45 a.m., Patient A was taken to the operating room for a cesarean section.

25 10. At approximately 11:13 a.m. on January 5, 2010, Baby A was delivered with
26 severely depressed Apgar scores requiring resuscitation. Evidence of a placental abruption was
27 discovered in Baby A's amniotic sac. As a result, Baby A suffered permanent mental and
28 physical damage.

1 19. NRS 630.3062(1) provides that the failure to maintain timely, legible, accurate and
2 complete medical records relating to the diagnosis, treatment and care of a patient is grounds for
3 initiating discipline against a licensee.

4 20. Respondent failed to maintain accurate and/or complete medical records relating to
5 the diagnosis, treatment and care of Patient A when he wrote numerous untimed and/or illegible
6 entries into Patient A's medical records and/or failed to document that he re-evaluated Patient A
7 or the fetal monitor recordings after 4:00 a.m. on January 5, 2010.

8 21. By reason of the foregoing, Respondent is subject to discipline by the Board as
9 provided in NRS 630.352.

10 **WHEREFORE**, the IC prays:

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

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


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

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

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

22 DATED this 2nd day of March, 2013.

23 INVESTIGATIVE COMMITTEE OF THE
24 NEVADA STATE BOARD OF MEDICAL EXAMINERS

25 By: 
26 Erin L. Albright, Esq.
27 Deputy General Counsel
28 Attorney 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
6 Nevada 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 22nd day of March, 2013.

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13 Theodore B. Berndt
14 Theodore B. Berndt, M.D.
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OFFICE OF THE GENERAL COUNSEL
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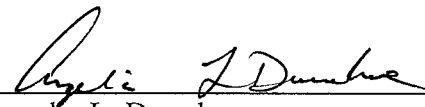
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CERTIFICATE OF MAILING

I hereby certify that I am employed by Nevada State Board of Medical Examiners and that on 22nd day of March 2013; I served a filed copy of the COMPLAINT, PATIENT DESIGNATION and FINGERPRINT INFORMATION via USPS e-certified return receipt mail to the following:

Ngoc Vo, M.D.
5761 S. Fort Apache
Las Vegas, NV 89148

Dated this 22nd day of March, 2013.



Angelia L. Donohoe
Legal Assistant