BEFORE THE BOARD OF MEDICAL EXAMINERS OF THE STATE OF NEVADA

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In the Matter of Charges and) Case No. 13-38154-1
Complaint Against	FILED
ROGER GEE JOE, M.D.,) JAN - 9 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 this Complaint of Theodore B. Berndt, M.D., Chairman, Valerie J. Clark, BSN, RHU, LUTCF, Member, and Michael J. Fischer, M.D., 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 Roger Gee Joe, M.D. (Respondent), violated the provisions of Nevada Revised Statutes (NRS) Chapter 630 (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. 13756), and has been licensed by the Board since November 15, 2010, pursuant to the provisions of the Medical Practice Act.
- 2. Respondent is currently licensed to practice medicine in Nevada, and was so licensed at the time of the incident complained of in this matter in the state of Texas.
- 3. On August 31, 2012, Respondent was granted a license to practice medicine in the state of Texas. As part of the licensure in Texas, Respondent agreed to an Order Imposing Administrative Penalty based upon the submission of a false or misleading statement regarding his internship training for a Texas medical license. Respondent agreed to pay a penalty of \$2,000.00.

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4. At no time did Respondent notify the Board of this action of the Texas Medical Board as required by law.

COUNT I

- 5. All of the allegations contained in the above paragraphs are hereby incorporated by reference as though fully set forth herein.
- 6. NRS 630.301(3) provides that any disciplinary action, including, without limitation, the revocation, suspension, modification or limitation of a license to practice any type of medicine, taken by another state is grounds for initiating discipline against a licensee.
- 7. The actions of the Texas Medical Board in imposing an administrative penalty as part of Respondent's initial licensure constitutes disciplinary action taken by another state against Respondent that is grounds for initiating discipline against Respondent.
- 8. By reason of the foregoing, Respondent is subject to discipline by the Board as provided in NRS 630.352.

COUNT II

- 9. All of the allegations contained in the above paragraphs are hereby incorporated by reference as though fully set forth herein.
- 10. NRS 630.306(11) provides that the failure by a licensee to report in writing, within thirty (30) days, any disciplinary action taken against the licensee by another state is grounds for initiating discipline against a licensee.
- 11. Respondent failed to report, in writing, to the Board within thirty (30) days the above-outlined disciplinary action taken by the state of Texas Medical Board.
- 12. By reason of the foregoing, Respondent is subject to discipline by the Board as provided in NRS 630.352.

WHEREFORE, the IC requests:

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;

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2.	That	the	Board	set	a	time	and	place	for	a	formal	hearing	after	holding	aı
Early Case Co	onferen	ce p	ursuant	to N	ΙR	S 630	.339((3);							

- 3. That the Board determine the sanctions it will impose if it finds Respondent violated the Medical Practice Act;
- That the Board make, issue and serve on Respondent, in writing, its findings of 4. 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 day of January, 2013.

INVESTIGATIVE COMMITTEE OF THE NEVADA STATE BOARD OF MEDICAL EXAMINERS

By:

Bradley O. Van Ry, Esq. 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

STATE OF NEVADA)
COUNTY OF WASHOE	: ss.

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 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 $9^{\mu\gamma}$ day of Jarrang, 2013.

Theodore B. Berndt, M.D.

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

CERTIFICATE OF MAILING

I hereby certify that I am employed by Nevada State Board of Medical Examiners and that on 9th day of January 2013; I served a filed copy of the Complaint, Settlement Letter and Fingerprint information via USPS e- certified return receipt mail to the following:

Roger Gee Joe, M.D. 14211 Royal Hill Dr. Houston, TX 77083

Dated this 9th day of January, 2013.

Angelia L. Donohoe Legal Assistant