

BEFORE THE BOARD OF MEDICAL EXAMINERS
OF THE STATE OF NEVADA

* * * * *

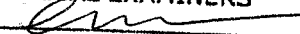
In the Matter of Charges and)
Complaint Against)
SUSAN L. BOYD, M.D.,)
Respondent)

Case No. 13-10054-1

FILED

MAY 13 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 of Theodore B. Berndt, M.D., Chairman, Valerie J. Clark, BSN, RHU, LUTCF, Member, and Michael J. Fischer, M.D., Member, by and through Erin L. Albright, Esq., Deputy General Counsel and attorney for the IC, having a reasonable basis to believe that Susan L. Boyd, 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. 7944), and has been so licensed by the Board since August 23, 1996, pursuant to the provisions of the Medical Practice Act.

2. Patient A was a thirty-six (36)-year-old female at the time of the incidents in question. Her true identity is not disclosed in this Complaint to protect her identity, but her identity is disclosed in the Patient Designation contemporaneously served on Respondent with this Complaint.

///

1 3. On or about November 30, 2010, Patient A underwent a total vaginal hysterectomy,
2 which was performed by Respondent.

3 4. On or about December 20, 2010, Patient A presented to Respondent for a
4 postoperative examination with complaints of increased pain after the hysterectomy and a foul
5 smelling discharge from her vagina. Respondent performed a physical examination on Patient A
6 and noted the presence of feces in her vaginal cuff and an opening extending from Patient A's
7 rectum into her vagina. Respondent scheduled Patient A for a diagnostic laparoscopy and
8 examination under anesthesia.

9 5. On or about December 23, 2010, Patient A presented to the Las Vegas Surgery
10 Center for the diagnostic laparoscopy and examination under anesthesia, which was performed by
11 Respondent. Respondent examined Patient A and noted the vaginal area contained a recto-vaginal
12 fistula. Respondent attempted to close the recto-vaginal fistula with chromic and Monocryl
13 sutures in a layered fashion as a temporary measure until consultation could be made with another
14 physician.

15 6. On or about December 28, 2010, Patient A telephoned Respondent with complaints
16 of pelvic pain and a foul smelling discharge. Patient A was scheduled for repair of the recto-
17 vaginal fistula with another physician. Upon examination, the other physician decided to perform
18 an ileostomy due to the inflamed vaginal tissue, thus allowing the tissue to heal before repairing
19 the recto-vaginal fistula.

20 7. Further, Respondent's medical records for Patient A are inaccurate, incomplete,
21 illegible and/or untimely.

22 COUNT I

23 **(Medical Records Violation)**

24 8. All of the allegations in the above paragraphs are hereby incorporated as if fully set
25 forth herein.

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

1 10. Respondent failed to maintain accurate and/or complete medical records relating to
2 the diagnosis, treatment and care of Patient A when she wrote incomplete, inaccurate, untimed
3 and/or illegible entries in Patient A's chart.

4 11. By reason of the foregoing, Respondent is subject to discipline by the Board as
5 provided in NRS 630.352.

6 **COUNT II**

7 **(Malpractice)**

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

10 13. NRS 630.301(4) provides that malpractice of a physician is grounds for initiating
11 disciplinary action against a licensee.

12 14. NAC 630.040 defines malpractice as the failure of a physician, in treating a patient,
13 to use the reasonable care, skill, or knowledge ordinarily used under similar circumstances.

14 15. As demonstrated by, but not limited to, the above-outlined facts, Respondent failed
15 to use reasonable care, skill or knowledge ordinarily used under similar circumstances when
16 treating Patient A.

17 16. By reason of the foregoing, Respondent is subject to discipline by the Board as
18 provided in NRS 630.352.

19 **WHEREFORE**, the Investigative Committee prays:

20 1. That the Board give Respondent notice of the charges herein against her and give
21 her notice that she may file an answer to the Complaint herein as set forth in NRS 630.339(2)
22 within twenty (20) days of service of the Complaint;

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

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

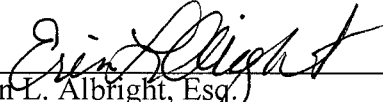
27 4. That the Board make, issue and serve on Respondent, in writing, its findings of
28 fact, conclusions of law and order, which shall include the sanctions imposed; and

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

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

DATED this 10th day of May, 2013.

INVESTIGATIVE COMMITTEE OF THE
NEVADA STATE BOARD OF MEDICAL EXAMINERS

By: 
Erin L. Albright, Esq.
Deputy 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

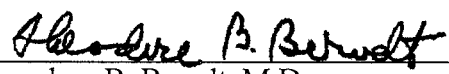
VERIFICATION

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

STATE OF NEVADA)
 : ss.
COUNTY OF WASHOE)

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

Dated this 10th day of May, 2013.



Theodore B. Berndt, M.D.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

CERTIFICATE OF MAILING

I hereby certify that I am employed by Nevada State Board of Medical Examiners and that on 13th day of May 2013; I served a filed copy of the COMPLAINT, PATIENT DESIGNATION & FINGERPRINT INFORMATION, via USPS certified return receipt mail to the following:

Susan Boyd, M.D.
PO Box 401478
Las Vegas, NV 89140

Dated this 13th day of May, 2013.



Angelia L. Donohoe
Legal Assistant