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BEFORE THE BOARD OF MEDICAL EXAMINERS OF THE STATE OF NEVADA

* * * * *

In the Matter of Charges and)	Case No. 12-11024-1
Complaint Against)	FILED
THOMAS NELSON ABDELLA, M.D.,)	MAR 2 8 2013
Respondent.) _)	NEVADA STATE BOARD OF MEDICAL EXAMINERS By:

FIRST AMENDED COMPLAINT

The Investigative Committee of the Nevada State Board of Medical Examiners (Board), composed the time of filing of В. Thomas 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 for the Board and attorney for the IC, having a reasonable basis to believe that Thomas Abdella, M.D. (Respondent), violated the provisions of Nevada Revised Statutes (NRS) Chapter 630 and Nevada Administrative Code Chapter 630 (collectively, the Medical Practice Act), hereby issues its formal Complaint, stating the Investigative Committee's charges and allegations as follows:

- 1. Respondent is currently licensed in active status (License No. 7589), and has been so licensed since October 12, 1995 by the Board pursuant to the provisions of the Medical Practice Act.
- 2. Patient A was a forty-three (43)-year-old female at the time of the incident in question. Her true identity is not disclosed in this First Amended Complaint to protect her identity, but her identity was disclosed in the Patient Designation served on Respondent in the initial Complaint.

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3.	Patient	A	was	admitted	to	the	hospital	on	or	about	June	17,	2005	where	she
remained unti	l June 20	, 20	005.												

	4.	During	Patient	A's four	(4)-day	hospital s	stay,	Respondent	made	four (4) v	written
entries	in the	patient's	chart.	Three (3)	of the fo	our (4) ent	tries	were untime	ed. All	four (4)	entries
were il	legible	, either in	part or	in whole,	and are	incomplet	e.				

COUNT I

(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. Respondent failed to maintain accurate and/or complete medical records relating to the diagnosis, treatment and care of Patient A when he wrote incomplete, untimed and/or illegible entries in Patient A's chart.
- By reason of the foregoing, Respondent is subject to discipline by the Board as 8. provided in NRS 630.352.

WHEREFORE, the Investigative Committee prays:

- That the Board gives Respondent notice of the charges herein against him and give 1. him notice that he may file an answer to the First Amended Complaint herein as set forth in NRS 630.339(2) within twenty (20) days of service of the First Amended Complaint;
- 2. That the Board sets a time and place for a formal hearing after holding an Early Case Conference pursuant to NRS 630.339(3);
- 3. That the Board determines the sanctions it will impose if it finds Respondent violated the Medical Practice Act;
- That the Board makes, issues and serves on Respondent, in writing, its findings of 4. facts, conclusions of law and order, which shall include the sanctions imposed; and

OFFICE OF THE GENERAL COUNSEL

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

DATED this 28th day of March, 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

VERIFICATION

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

Dated this 29th day of March , 2013.

Theodore B. Berndt, M.D.

OFFICE OF THE GENERAL COUNSEL Nevada State Board of Medical Examiners

CERTIFICATE OF MAILING

I hereby certify that I am employed by Nevada State Board of Medical Examiners and that on 28th day of March 2013; I served a filed copy of the FIRST AMENDED COMPLAINT, via USPS regular mail to the following:

S. Brent Vogel, Esq. 6385 S. Rainbow Blvd., Ste. 600 Las Vegas, NV 89118

&

Pat Dolan, J.D., Hearing Officer 7980 Meadow Vista Court Reno, NV 89511

Dated this 28th day of March, 2013.

Angelia L. Donohoe Legal Assistant