BEFORE THE BOARD OF MEDICAL EXAMINERS OF THE STATE OF NEVADA

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In the Matter of Charges and)	Case No. 14-25576-1
Complaint Against)	FILED
BRIAN E. GRACE, PA-C,)	MAY 2 0 2014
Respondent.)))	NEVADA STATE BOARD OF MEDICAL EXAMINERS By:

COMPLAINT

The Investigative Committee (IC) of the Nevada State Board of Medical Examiners (Board), composed of Beverly A. Neyland, M.D., Chairwoman, Mrs. Sue Lowden, Member and Bashir Chowdhry, M.D., Member by and through Edward O. Cousineau, Esq., Deputy Executive Director for the Board and counsel for the IC, having a reasonable basis to believe that Brian E. Grace, PA-C, hereinafter referred to as "Respondent," has violated the provisions of the Medical Practice Act, Nevada Revised Statutes (NRS) Chapter 630, hereby issues its formal Complaint, stating the IC's charges and allegations, as follows:

- 1. Respondent is licensed in active status to practice medicine in the state of Nevada, and at all times alleged herein was so licensed by the Board, pursuant to the provisions of Chapter 630 of the NRS.
- 2. Patients A, B, and C true identities are not disclosed herein to protect their privacy, but are disclosed in the Patient Designation served on Respondent along with a copy of this Complaint.
- 3. Respondent wrote a prescription for a controlled substance for Patient A on or about March 3, 2011. Respondent failed to create or maintain any medical records related the patient encounter or prescription.

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4.	Respondent wrote two prescriptions for controlled substances for Patient B on o
about July 20,	2011 and November 13, 2012. Respondent failed to create or maintain any medica
records related	I to these patient encounters or prescriptions.

5. Respondent wrote thirteen prescriptions for controlled substances for Patient C between August 8, 2011 and July 6, 2012. Respondent failed to create or maintain any medical records related to these patient encounters or prescriptions.

COUNT I

- 6. All of the above paragraphs are incorporated by reference as though fully set forth herein.
- 7. Section 630.3062(1) of the NRS provides that failure to maintain timely, legible, accurate and complete medical records relating to the diagnosis, treatment and care of a patient is grounds for initiating disciplinary action.
- 8. Respondent violated NRS 630.3062(1) when he failed to maintain adequate and legible medical records related to Patient A and is subject to discipline by the Nevada State Board of Medical Examiners as provided in NRS 630.352.

COUNT II

- 9. All of the above paragraphs are incorporated by reference as though fully set forth herein.
- 10. Section 630.3062(1) of the NRS provides that failure to maintain timely, legible, accurate and complete medical records relating to the diagnosis, treatment and care of a patient is grounds for initiating disciplinary action.
- 11 Respondent violated NRS 630.3062(1) when he failed to maintain adequate and legible medical records related to Patient B and is subject to discipline by the Nevada State Board of Medical Examiners as provided in NRS 630.352.

COUNT III

12. All of the above paragraphs are incorporated by reference as though fully set forth herein.

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- 13. Section 630.3062(1) of the NRS provides that failure to maintain timely, legible. accurate and complete medical records relating to the diagnosis, treatment and care of a patient is grounds for initiating disciplinary action.
- 14. Respondent violated NRS 630.3062(1) when he failed to maintain adequate and egible medical records related to Patient A and is subject to discipline by the Nevada State Board of Medical Examiners 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 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 /9th day of May, 2014.

By:

Edward O. Cousineau, Esq.

Attorney for the Investigative Committee of the

Nevada State Board of Medical Examiners

OFFICE OF THE GENERAL COUNSEL

Nevada State Board of Medical Examiners

VERIFICATION

STATE OF NEVADA)
COUNTY OF CLARK	: ss.

Beverly A. Neyland, M.D., having been duly sworn, hereby deposes and states under penalty of perjury that she is the Chairwoman of the Investigative Committee of the Nevada State Board of Medical Examiners that authorized the Complaint against the Respondent herein; that she has read the foregoing Complaint; and that based upon information discovered in the course of the investigation into a complaint against Respondent, she believes that the allegations and charges in the foregoing Complaint against Respondent are true, accurate, and correct.

Dated this 2014 day of May, 2014.

Beverly A. Neyland, M.D.

OFFICE OF THE GENERAL COUNSEL Nevada State Board of Medical Examiners

CERTIFICATE OF SERVICE

I hereby certify that I am employed by Nevada State Board of Medical Examiners and that on 20^{th} day of May 2014; I served a filed copy of COMPLAINT, PATIENT DESIGNATION & FINGERPRINT INFORMATION, via USPS e-certified mail to the following:

> Brian Grace, PA-C 2800 E. Desert Inn Rd., Ste. 100 Las Vegas, NV 89121

Dated this 20th day of May, 2014.

Angelia L. Donohoe Legal Assistant