

1 **BEFORE THE BOARD OF MEDICAL EXAMINERS**
2 **OF THE STATE OF NEVADA**

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6 **In the Matter of Charges and**) **Case No. 14-11807-1**
7)
8 **Complaint Against**)
9 **GEORGE VAGUJHELYI, M.D.,**)
10 **Respondent.**)

FILED

JUN 12 2014

**NEVADA STATE BOARD OF
MEDICAL EXAMINERS**
By: _____

11 _____
12 **COMPLAINT**

13 The Investigative Committee (IC) of the Nevada State Board of Medical Examiners
14 (Board), composed at the time of filing of Beverly A. Neyland, M.D., Sue Lowden and
15 Bashir Chowdhry, M.D., by and through Bradley O. Van Ry, Board General Counsel and attorney
16 for the IC, having a reasonable basis to believe that George Vagujhelyi, M.D. (Respondent), has
17 violated the provisions of Nevada Revised Statutes (NRS) Chapter 630 and Nevada
18 Administrative Code (NAC) Chapter 630, collectively the Medical Practice Act (MPA), hereby
19 issues its formal Complaint, stating the IC's charges and allegations, as follows:

20 1. Respondent has been licensed in active status since March 25, 2003
21 (License No. 10444), pursuant to the provisions of the MPA.

22 2. Patient A was a forty-one (41)-year-old female at the time of the incidents in
23 question. Her true identity is not disclosed in this Complaint to protect her identity, but her
24 identity is disclosed in the Patient Designation contemporaneously served on Respondent with this
25 Complaint.

26 3. Patient A presented to the Renown Regional Medical Center emergency room (ER)
27 on September 4, 2011, at 2123, hrs for esophageal food impaction.

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1 4. Respondent evaluated Patient A and performed an upper endoscopy a few hours
2 after Patient A's admission to the ER, on September 5, 2011, at 0141 hrs. The endoscopic
3 findings noted esophageal rings, a food bolus in the distal esophagus and a significant esophageal
4 tear at approximately 32-33 cm.

5 5. Significantly, the esophageal rings should have raised the suspicion of eosinophilic
6 esophagitis, which suspicion should have indicated to Respondent that Patient A was at an
7 increased risk of having an esophageal perforation.

8 6. Respondent dislodged the food bolus and discharged Patient A with instructions to
9 follow up in four weeks for further evaluation and to obtain biopsies from the esophagus.
10 Unfortunately, Respondent did not order any further diagnostic tests, such as chest imaging,
11 including an x-ray, MRI or CT scan.

12 7. On September 11, 2011, Patient A returned to the ER and an esophageal
13 perforation of 1 cm was found located at approximately 35 cm down the esophagus. This
14 esophageal perforation led to numerous complications, ongoing hospital stays and surgeries for
15 Patient A until November 8, 2011.

16 Count

17 (Malpractice)

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

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

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

24 11. As demonstrated by, but not limited to, the above-outlined facts, Respondent's care
25 and treatment of Patient A shows a failure to use reasonable care, skill, or knowledge ordinarily
26 used under similar circumstances by, among other things, failing to address the possibility of the
27 esophageal perforation in the presence of a significant esophageal tear and esophageal rings
28 indicative of such a perforation.

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12. By reason of the foregoing, Respondent 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 (20) 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);

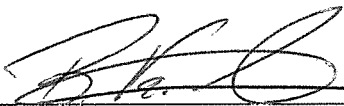
3. That the Board determine what sanctions to impose if it finds and concludes that there has been a violation or violations of the MPA committed by Respondent;

4. That the Board make, issue and serve on Respondent its findings of fact, conclusions of law and order, in writing, that includes 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 12th day of June, 2014.

INVESTIGATIVE COMMITTEE OF THE
NEVADA STATE BOARD OF MEDICAL EXAMINERS

By: 
Bradley O. Van Ry, Esq.
General Counsel
Attorney for the Investigative Committee

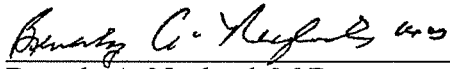
VERIFICATION

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STATE OF NEVADA)
 : ss.
COUNTY OF CLARK)

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

Dated this 12th day of June, 2014.



Beverly A. Neyland, M.D.

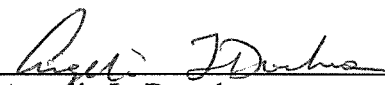
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CERTIFICATE OF SERVICE

I hereby certify that I am employed by Nevada State Board of Medical Examiners and that on 12th day of June 2014; I served a filed copy of COMPLAINT, PATIENT DESIGNATION & FINGERPRINT INFORMATION, via USPS e-certified mail to the following:

George Vagujhelyi, M.D.
5250 Kietzke Lane
Reno, NV 89511

Dated this 12th day of June, 2014.



Angelía L. Donohoe
Legal Assistant