


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

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

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6 **In the Matter of Charges and**)
7 **Complaint Against**)
8 **KENNETH WESTFIELD, M.D.,**)
9 **Respondent.**)
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Case No. 14-5797-1
FILED
FEB 26 2014
NEVADA STATE BOARD OF
MEDICAL EXAMINERS
By: 

12 **COMPLAINT**

13 The Investigative Committee (IC) of the Nevada State Board of Medical Examiners
14 (Board), composed at the time of filing of Theodore B. Berndt, M.D., Chairman,
15 Valerie J. Clark, BSN, RHU, LUTCF, Member, and Michael J. Fischer, M.D., Member, by and
16 through Bradley O. Van Ry, Board General Counsel and attorney for the IC, having a reasonable
17 basis to believe that Kenneth Westfield, M.D. (Respondent), has violated the provisions of Nevada
18 Revised Statutes (NRS) Chapter 630 and Nevada Administrative Code (NAC) Chapter 630,
19 collectively the Medical Practice Act (MPA), hereby issues its formal Complaint, stating the IC's
20 charges and allegations, as follows:

- 21 1. Respondent has been licensed in active status since January 1, 1980 (License No.
22 3953), pursuant to the provisions of the MPA.
- 23 2. Respondent was also licensed in the state of California at the time of the incidents
24 complained of in this matter.
- 25 3. Respondent was also licensed in the state of Arizona at the time of the incidents
26 complained of in this matter.
- 27 4. On or about June 11, 2013, the State of California, Medical Board of California,
28 entered into a Stipulated Surrender of License with Respondent. The surrender of license was

1 effective on or about June 18, 2013. At no time did Respondent disclose this surrender of license
2 to the Board.

3 5. Previously, on or about June 7, 2012, the State of Arizona, Arizona Medical Board,
4 issued an Order for Letter of Reprimand and Consent based upon a previous Nevada Board
5 settlement with Respondent. At no time did Respondent disclose the Arizona Medical Board's
6 Order for Letter of Reprimand and Consent to the Board.

7 6. On or about May 10, 2013, Respondent renewed his license to practice medicine in
8 the state of Nevada without informing the Board of either the pending Medical Board of California
9 action or the Arizona Order for Letter of Reprimand and Consent to the same.

10 **Count I**

11 7. All of the above allegations in the above paragraphs are hereby incorporated as if
12 fully set forth herein.

13 8. NRS 630.301(3) provides that any disciplinary action, including, without
14 limitation, the revocation, suspension, modification or limitation of a license to practice any type
15 of medicine, taken by another state is grounds for initiating disciplinary action against a licensee.

16 9. The disciplinary actions against Respondent, including, but not limited to, the
17 Medical Board of California's Stipulated Surrender of License and/or the Arizona Medical
18 Board's Order for Letter of Reprimand and Consent constitutes disciplinary action taken by
19 another state that is grounds for initiating discipline against Respondent as a violation of the
20 provisions of NRS 630.301(3).

21 10. By reason of the foregoing, Respondent is subject to discipline by the
22 Board as provided in NRS 630.352.

23 **Count II**

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

26 12. NRS 630.306(11) provides that failure to report in writing, within 30 days, any
27 disciplinary action taken against a licensee or applicant by another state is grounds for initiating
28 disciplinary action against a licensee.

1 13. Respondent’s failure to report the Medical Board of California’s Stipulated Surrender
2 of License and/or the Arizona Medical Board’s Order for Letter of Reprimand and Consent to the
3 Board at any time constitutes a violation of the provisions of NRS 630.306(11).

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

Count III

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

9 16. NRS 630.304(1) provides that obtaining, maintaining or renewing or attempting to
10 obtain, maintain or renew a license to practice medicine by bribery, fraud or misrepresentation or
11 by any false, misleading, inaccurate or incomplete statement is grounds for initiating disciplinary
12 action against a licensee.

13 17. As demonstrated by, but not limited to, the above-outlined facts, Respondent's
14 failure to report the pending Medical Board of California’s Stipulated Surrender of License and/or
15 the Arizona Medical Board’s Order for Letter of Reprimand and Consent on his Nevada renewal
16 application constitutes a violation of the provisions of NRS 630.304(1).

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

WHEREFORE, the Investigative Committee prays:

20 1. That the Board give Respondent notice of the charges herein against him and give
21 him notice that he 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 Early Case
24 Conference pursuant to NRS 630.339(3);

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


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

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

DATED this 26th day of February, 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

1 STATE OF NEVADA)
2 : ss.
3 COUNTY OF WASHOE)

4 Theodore B. Berndt, M.D., hereby deposes and states under penalty of perjury under the
5 laws of the state of Nevada that he is the Chairman of the Investigative Committee of the
6 Nevada State Board of Medical Examiners that authorized the foregoing Complaint against the
7 Respondent herein; that he has read the foregoing Complaint; and that based upon information
8 discovered during the course of the investigation into a complaint against Respondent, he believes
9 the allegations and charges in the foregoing Complaint against Respondent are true, accurate and
10 correct.

11 Dated this 26th day of February, 2014.

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13 Theodore B. Berndt
14 Theodore B. Berndt, 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 26th day of February 2014; I served a filed copy of COMPLAINT & FINGERPRINT INFORMATION, via USPS e-certified mail to the following:

Kenneth Westfield, M.D.
2575 Lindell Rd.
Las Vegas, NV 89146-5409

Dated this 26th day of February, 2014.



Angelia L. Donohoe
Legal Assistant