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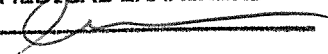
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**.BEFORE THE BOARD OF MEDICAL EXAMINERS
OF THE STATE OF NEVADA**

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**In the Matter of Charges and
Complaint Against
Douglas Stewart Lynch, PA-C,
Respondent.**

Case No. 15-41732-1

FILED
MAY - 6 2015
NEVADA STATE BOARD OF
MEDICAL EXAMINERS
By: 

COMPLAINT

The Investigative Committee¹ (IC) of the Nevada State Board of Medical Examiners (Board) hereby issues this formal Complaint (Complaint) against Douglas Stewart Lynch (Respondent), a licensed physician assistant in Nevada. After investigating this matter, the IC has a reasonable basis to believe that Respondent has violated provisions of the Nevada Revised Statutes (NRS) chapter 630 and the Nevada Administrative Code (NAC) chapter 630 (collectively Medical Practice Act).

The IC alleges the following facts:

1. Respondent applied for a physician assistant license in Nevada. Respondent disclosed in his application that he had voluntarily entered into a five-year contract with Dr. Peter Mansky and Nevada Professionals Assistance Program (NPAP) in February 2013 due to prior illicit drug use. On or about December 30, 2013, Respondent was granted a license (license no. PA1486).
2. Pursuant to its contract with Respondent, NPAP was authorized to notify the Board of any issues that may affect Respondent's ability to safely practice medicine in Nevada.
3. On March 18, 2015, the Board received a notice from NPAP that NPAP could not advocate that Respondent was safe to practice medicine because Respondent had tested positive for methamphetamine use on February 11, 2015, February 23, 2015, and March 12, 2015. According to

¹ The Investigative Committee of the Nevada State Board of Medical Examiners is composed of Board members Theodore B. Berndt, M.D., Chairman, Valerie J. Clark, BSN, RHU, LUTCF, Member, and Michael J. Fischer, M.D., Member.

1 the notice, NPAP believed that Respondent was still actively using methamphetamines due to
2 increasing levels of methamphetamines in Respondent's test results. Respondent was deactivated as
3 a participant in NPAP as of March 16, 2015, because Respondent failed to comply with a corrective
4 action plan and failed to respond to NPAP's inquiries.

5 4. On March 19, 2015, the IC issued an Order of Summary Suspension and Notice of
6 Hearing (Order) based on the IC's preliminary determination from its investigative findings that
7 Respondent's acts put the health, safety, or welfare of the public at risk of imminent harm. The
8 Board personally served Respondent with the Order on March 19, 2015. The Order required
9 Respondent to notify his current supervising physicians that his license has been suspended until
10 further order of the IC or Board. The Order also provided Respondent with notice that a hearing in
11 the matter was set for May 4, 2015, at 9:30 a.m.

12 5. On March 19, 2015, shortly after the Board personally served Respondent with the
13 Order, Respondent emailed the Board that Respondent had recently relapsed and was no longer
14 compliant with NPAP criteria. Respondent explained that he has initiated steps for necessary
15 treatment, as directed by NPAP, that he has notified hospitals and all of his privileges have been
16 suspended, and that he has been terminated from employment. Respondent indicated that he has no
17 patient contact at this time, and is not writing prescriptions. Respondent stated that he will complete
18 the treatment plan, as directed by NPAP. Respondent forwarded notices indicating that Respondent
19 and his supervising physicians terminated their supervising and/or collaborating agreement.

20 6. On April 8, 2015, the Board learned that Respondent was attending the Intensive
21 Outpatient (IOP) treatment. However, Respondent tested positive for methamphetamine use on
22 April 1, 2015.

23 7. On April 9, 2015, the Board was notified that Respondent again tested positive for
24 methamphetamine use on April 6, 2015. As a result, Respondent was discharged from the IOP
25 treatment with a recommendation that Respondent needs a higher level of care.

26 8. In April 2015, the Board received letters from Respondent's supervising physicians
27 speaking to Respondent's behavior and practice of medicine as a physician assistant.

28 9. The week of April 22, 2015, the parties stipulated to continuing the hearing to give

1 the parties an opportunity to resolve this matter without a hearing. Respondent understood and
2 agreed that his license would remain in a suspended status for an indefinite period pending
3 resolution of this matter.

4 10. On or about April 26, 2015, Respondent entered in-patient treatment for an unknown
5 period of time. Respondent would not be able to communicate with anyone outside of the in-patient
6 treatment facility until he was released from the program.

7 Based on the foregoing, the IC charges Respondent with the following violations of the
8 Medical Practice Act:

9 **Count I**

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

12 12. The Board may initiate disciplinary action when it finds a licensee is unable to
13 practice medicine with reasonable skill and safety because of the use of drugs. NRS 630.306(1).

14 13. Based on the foregoing factual allegations, Respondent is unable to practice
15 medicine with reasonable skill and competency because he has tested positive for
16 methamphetamine use on five separate occasions. Further, the results of the drug testing suggest
17 that Respondent is still using methamphetamines due to increasing levels of methamphetamines in
18 Respondent's test results.

19 14. By reason of the foregoing, Respondent is subject to discipline by the Board as
20 provided in NAC 630.410.

21 **Count II**

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

24 16. The Board may initiate disciplinary action when it finds that a licensee has been
25 engaging in any conduct that the Board has determined is a violation of the standards of practice
26 established by regulation. NRS 630.306(2).

27 17. In Nevada, a person who is licensed as a physician assistant is prohibited from
28 rendering professional services to a patient while the physician assistant is in any impaired mental

1 or physical condition. NAC 630.230(1)(c).

2 18. Based on the foregoing factual allegations, the Board cannot permit Respondent to
3 continue the practice of medicine until Respondent has shown that he no longer poses a threat or
4 danger to the public.

5 19. By reason of the foregoing, Respondent is subject to discipline by the Board as
6 provided in NAC 630.410.

7 **WHEREFORE**, the IC prays:

8 20. That the Board give Respondent notice of the charges herein against him and give
9 him notice that he may file an answer to the Complaint herein as set forth in NRS 630.339(2)
10 within twenty (20) days of service of the Complaint;

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

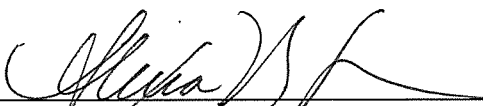
13 22. That the Board determine what sanctions to impose if it finds and concludes that
14 there has been a violation or violations of the Medical Practice Act committed by Respondent;

15 23. That the Board make, issue and serve on Respondent its findings of fact,
16 conclusions of law and order, in writing, to include sanctions to be imposed; and

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

19 DATED this 6th day of May, 2015.

20 INVESTIGATIVE COMMITTEE OF THE
21 NEVADA STATE BOARD OF MEDICAL EXAMINERS

22 By: 
23 Alexia M. Emmermann
24 General Counsel
25 Attorney for the Investigative Committee
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VERIFICATION

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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 6th day of May, 2015.



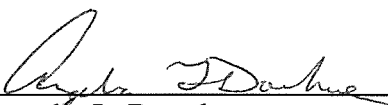
Theodore B. Berndt, M.D.

CERTIFICATE OF SERVICE

I hereby certify that I am employed by Nevada State Board of Medical Examiners and that on 18th day of May 2015; I served a filed copy of COMPLAINT & FINGERPRINT INFORMATION, via USPS e-certified return receipt mail to the following:

Douglas Lynch, PA-C
1808 Crownhaven Ct.
Las Vegas, NV 89108

Dated this 18th day of May, 2015.



Angelia L. Donohoe
Legal Assistant