## BEFORE THE BOARD OF MEDICAL EXAMINERS OF THE STATE OF NEVADA

\* \* \* \* \*

In the Matter of Charges and

**Complaint Against** 

Heather L. Rohrer, PA-C,

Respondent.

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Case No. 15-28202-1

FILED

JUL 2 3 2015

**NEVADA STATE BOARD OF** MEDICAL EXAMINERS

## **COMPLAINT**

The Investigative Committee<sup>1</sup> (IC) of the Nevada State Board of Medical Examiners (Board) hereby issues this formal Complaint (Complaint) against Heather L. Rohrer (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 Nevada Revised Statutes (NRS) chapter 630 and Nevada Administrative Code (NAC) chapter 630 (collectively Medical Practice Act). The IC alleges the following facts:

- 1. Respondent was licensed by the Board on August 1, 2003 (License No. PA789), pursuant to the provisions of the Medical Practice Act, and is currently licensed in active status.
- 2. Patient A was a 10-year-old male at the time the incidents in question commenced. His true identity is not disclosed in this Complaint to protect his identity, but his identity is disclosed in the Patient Designation contemporaneously served on Respondent with this Complaint.
  - 3. Patient A is Respondent's stepson.
- 4. From January 13, 2011 through August 2011, Respondent prescribed methylphenidate, brand name Concentra, a schedule II controlled substance, to Patient A.

<sup>&</sup>lt;sup>1</sup> The Investigative Committee of the Nevada State Board of Medical Examiners at the time of authorizing this Complaint was composed of Board members Theodore B. Berndt, M.D., Chairman, Valerie J. Clark, BSN, RHU, LUTCF, Member, and Michael J. Fischer, M.D., Member.

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- 5. From April 30, 2012 through August 2012, Respondent prescribed methylphenidate, brand name Concentra, a schedule II controlled substance, to Patient A.
  - 6. Respondent failed to keep medical records for her care and treatment of Patient A.
- 7. Based on the foregoing, the IC charges Respondent with the following violations of the Medical Practice Act:

### Count I

- 8. All of the allegations contained in the above paragraphs are hereby incorporated by reference as though fully set forth herein.
- 9. The Board may initiate disciplinary action when a licensee administers, dispenses or prescribes a controlled substance to herself or others except as authorized by law. NRS 630.306(3).
- A physician assistant shall not prescribe schedule II controlled substances to her 10. child except in cases of emergency. NRS 453.381(1).
- 11. Respondent prescribed a schedule II controlled substance to her stepson for eight consecutive months in 2011 and for five consecutive months in 2012, in violation of NRS 453.381(1).
- 12. By reason of the foregoing, Respondent is subject to discipline by the Board as provided in NAC 630.410.

## Count II

- 13. All of the allegations contained in the above paragraphs are hereby incorporated by reference as though fully set forth herein.
- 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.
- 15. Respondent failed to maintain timely, legible, accurate and complete medical records relating to the diagnosis, treatment and care of Patient A as outlined above.
- 16. By reason of the foregoing, Respondent is subject to discipline by the Board as provided in NAC 630.410.

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# OFFICE OF THE GENERAL COUNSEL Nevada State Board of Medical Examiners

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## WHEREFORE, the IC prays:

- 1. That the Board give Respondent notice of the charges herein against her and give her notice that she 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 Medical Practice Act committed by Respondent;
- 4. That the Board make, issue and serve on Respondent its findings of fact, conclusions of law and order, in writing, to include sanctions to be imposed; and
- 5. That the Board take such other and further action as may be just and proper in these premises.

DATED this 23 day of July, 2015.

INVESTIGATIVE COMMITTEE OF THE NEVADA STATE BOARD OF MEDICAL EXAMINERS

By:

Erin L. Albright, E

General Counsel

Attorney for the Investigative Committee

## OFFICE OF THE GENERAL COUNSEL Nevada State Board of Medical Examiners

## **VERIFICATION**

STATE OF NEVADA	)
COUNTY OF WASHOE	: ss. )
Theodore B. Berndt,	M.D.

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 23<sup>rd</sup> day of July, 2015.

Hodre B. Berndt, M.D.

## OFFICE OF THE GENERAL COUNSEL Nevada State Board of Medical Examiners

Reno, Nevada 89502 (775) 688-2559

## **CERTIFICATE OF MAILING**

I hereby certify that I am employed by Nevada State Board of Medical Examiners and that on 24<sup>th</sup> day of July 2015; I served a file stamp copy of COMPLAINT, PATIENT DESIGNATION & FINGERPRINT INFORMATION via USPS e-certified return receipt mail to the following:

Heather Rohrer, PA-C 8871 West Sahara Ave. Las Vegas, NV 89117

Dated this 24<sup>th</sup> day of July, 2015.

Angelia L. Donohoe Legal Assistant