Reno, Nevada 89502

BEFORE THE BOARD OF MEDICAL EXAMINERS OF THE STATE OF NEVADA

* * * * *

In the Matter of Charges and)	Case No. 17-42879-1
Complaint Against)	FILED
Usha Kiran Nuthi, M.D.,)	FEB 2 8 2017
Respondent.)	NEVADA STATE BOARD OF MEDICAL EXAMINERS By:

COMPLAINT

The Investigative Committee¹ (IC) of the Nevada State Board of Medical Examiners, having a reasonable basis to believe that Usha Kiran Nuthi, M.D. (hereinafter referred to as Dr. Nuthi or Respondent), has violated the provisions of Nevada Revised Statutes (NRS) Chapter 630 and Nevada Administrative Code (NAC) Chapter 630 (collectively, the Medical Practice Act), hereby issues its formal Complaint, stating the IC's charges and allegations, as follows:

Respondent's Licensure Status

- 1. Respondent is currently licensed in active status (License No. 15593), and was so licensed on October 20, 2014, by the Nevada State Board of Medical Examiners, pursuant to the provisions of NRS Chapter 630.
- 2. On or about December 16, 2015, Respondent entered into a Joint Petition, Stipulation, and Consent Order with the Alabama State Board of Medical Examiners, in which she admitted that her Alabama Controlled Substances Certificate expired by operation of law on December 31, 2014; she did not renew the Certificate until March 3, 2015; and she prescribed controlled substances in the State of Alabama during the period from January 1, 2015 through

¹ The Investigative Committee of the Nevada State Board of Medical Examiners, at the time the filing of this Complaint was approved, was composed of Theodore B. Berndt, M.D., Wayne Hardwick, M.D., and Mr. M. Neil Duxbury.

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March 2, 2015. Pursuant to the Consent Order, Dr. Nuthi was assessed an administrative fine of \$5,000.00.

3. At no time did Respondent report in writing to the Nevada State Board of Medical Examiners that disciplinary action had been taken against her by the Alabama State Board of Medical Examiners.

Count I

- All of the allegations contained in the above paragraphs are hereby incorporated by 4. reference as though fully set forth herein.
- 5. NRS 630.301(3) provides that any disciplinary action, including the revocation, suspension, modification or limitation of a license to practice any type of medicine, taken by another state is grounds for initiating disciplinary action against a licensee.
- 6. Respondent entered into a Consent Order with the Alabama State Board of Medical Examiners, which Consent Order is a disciplinary action.
- By reason of the foregoing, Respondent is subject to discipline by the Nevada State 7. Board of Medical Examiners as provided in NRS 630.352.

Count II

- 8. All of the allegations contained in the above paragraphs are hereby incorporated by reference as though fully set forth herein.
- 9. NRS 630.306(1)(k) provides that failure by a licensee or applicant to report in writing, within 30 days, any disciplinary action taken against the licensee or applicant by another state, the Federal Government or a foreign country, including, without limitation, the revocation, suspension or surrender of a license to practice medicine in another jurisdiction, is grounds for initiating disciplinary action.
- 10. Respondent was disciplined by the Alabama State Board of Medical Examiners as described above and assessed an administrative fine.
- Respondent failed to timely report the disciplinary action taken by the Alabama State 11. Board of Medical Examiners.
 - Accordingly, Respondent is in violation of NRS 630.306(1)(k). 12.

13. 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 Nevada State Board of Medical Examiners 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 Nevada State Board of Medical Examiners set a time and place for a formal hearing after holding an Early Case Conference pursuant to NRS 630.339(3);
- 3. That the Nevada State Board of Medical Examiners determine what sanctions to impose if it determines there has been a violation or violations of the Medical Practice Act committed by Respondent;
- 4. That the Nevada State Board of Medical Examiners 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 Nevada State Board of Medical Examiners take such other and further action as may be just and proper in these premises.

DATED this day of February, 2017.

INVESTIGATIVE COMMITTEE OF THE NEVADA STATE BOARD OF MEDICAL EXAMINERS

By:

Robert Kilroy, Esq.

General Counsel and Attorney for the Investigative Committee

Jasmine K. Mehta, Esq.

Deputy General Counsel and Attorney for the Investigative Committee

OFFICE OF THE GENERAL COUNSEL Nevada State Board of Medical Examiners

Nevada State Board of Medical Examiners 1105 Terminal Way #301

Reno, Nevada 89502

VERIFICATION

STATE OF NEVADA) : ss. COUNTY OF WASHOE)

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

DATED this **28^{rty}** day of **7elonum**, 2017.

Marye Hardwick, M.D.

OFFICE OF THE GENERAL COUNSEL Nevada State Board of Medical Examiners 1105 Terminal Way #301 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 28th day of February 2017; I served a file copy of COMPLAINT & Fingerprint Information, via USPS certified electronic return receipt mail to the following:

Usha Kiran Nuthi, M.D. 44 Ledge View Dr. Huntsville, AL 35802

Dated this 28th day of February, 2017.

Angelia L. Donohoe Legal Assistant