

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

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**In the Matter of Charges and
Complaint Against
William Alvear, M.D.,
Respondent.**

Case No. 17-11277-1

FILED

OCT 23 2017

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

COMPLAINT

The Investigative Committee¹ (IC) of the Nevada State Board of Medical Examiners, hereby issues this formal Complaint against William Alvear, M.D. (hereinafter referred to as Dr. Alvear or Respondent), a licensed physician 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, the Medical Practice Act).

The IC alleges the following facts:

1. Respondent is a medical doctor currently licensed in active status (License No. 7874). Respondent was issued his license from the Nevada State Board of Medical Examiners on July 2, 1996, pursuant to the Medical Practice Act.
2. Respondent is a primary care physician, and in the course of his practice, regularly refers patients to providers of home health care services.
3. On or about April 12, 2016, Respondent entered into a Plea Agreement in Criminal Case No. 2:15-CR-00042-RFB-NJK, in the United States District Court, District of Nevada, and was thereby convicted of Soliciting and Receiving Remuneration, in violation of 42 U.S.C. § 1320a-(7b)(b)(1), violation of which is a felony.

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 Wayne Hardwick, M.D., Theodore B. Berndt, M.D., and Mr. M. Neil Duxbury.

1 4. During April and May of 2013, while practicing medicine at St. Louis Medical
2 Center, located at 530 E. St Louis Avenue, Las Vegas, NV 89104, Respondent accepted bribes
3 from the owner of a home health care company who was cooperating with the Federal Bureau of
4 Investigation. The bribes were accepted by Respondent as follows:

- 5 a. April 10, 2013 - \$1,800.00
- 6 b. May 2, 2013 - \$600.00
- 7 c. May 10, 2013 - \$1200.00
- 8 d. May 29, 2013 - \$1,800.00

9 5. The aforementioned payments induced Respondent to refer Medicare patient-
10 beneficiaries to the cooperating home health care company.

11 **Count I**

12 **NRS 630.301(1)**

13 **(Conviction of a Felony Relating to the Practice of Medicine)**

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

16 7. NRS 630.301(1) provides that conviction of a felony relating to the practice of
17 medicine is grounds for initiating disciplinary action or denying licensure.

18 8. Respondent was convicted of a felony relating to the practice of medicine,
19 specifically, Soliciting and Receiving Remuneration, in violation of 42 U.S.C. § 1320a-(7b)(b)(1).

20 9. By reason of the foregoing, Respondent is subject to discipline by the Nevada State
21 Board of Medical Examiners as provided in NRS 630.352.

22 **Count II**

23 **NRS 630.301(9)**

24 **(Disreputable Conduct)**

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

27 11. NRS 630.301(9) provides that engaging in conduct that brings the medical
28 profession into disrepute is grounds for initiating disciplinary action or denying licensure.

1 12. Respondent engaged in conduct that brings the medical profession into disrepute
2 by accepting bribes from the owner of a home health care company in exchange for Respondent
3 referring Medicare patients to that home health care company.

4 13. By reason of the foregoing, Respondent is subject to discipline by the Nevada
5 State Board of Medical Examiners as provided in NRS 630.352.

6 **Count III**

7 **NRS 630.301(11)(g)**

8 **(Conviction of an Offense Involving Moral Turpitude)**

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

11 15. NRS 630.301(11)(g) provides that conviction of any offense involving moral
12 turpitude is grounds for initiating disciplinary action or denying licensure.

13 16. Respondent was convicted of Soliciting and Receiving Remuneration, in violation
14 of 42 U.S.C. § 1320a-(7b)(b)(1), a felony.

15 17. Soliciting and Receiving Remuneration, in violation of 42 U.S.C.
16 § 1320a-(7b)(b)(1), a felony, is behavior that gravely violates the sentiments and accepted
17 standards of the medical community in the State of Nevada, and involves moral turpitude.

18 18. By reason of the foregoing, Respondent is subject to discipline by the Nevada
19 State Board of Medical Examiners as provided in NRS 630.352.

20 **WHEREFORE**, the Investigative Committee prays:

21 1. That the Nevada State Board of Medical Examiners give Respondent notice of the
22 charges herein against him and give him notice that he may file an answer to the Complaint herein
23 as set forth in NRS 630.339(2) within twenty (20) days of service of the Complaint;

24 2. That the Nevada State Board of Medical Examiners set a time and place for a
25 formal hearing after holding an Early Case Conference pursuant to NRS 630.339(3);

26 3. That the Nevada State Board of Medical Examiners determine what sanctions to
27 impose if it determines there has been a violation or violations of the Medical Practice Act
28 committed by Respondent;


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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 23 day of October, 2017.

INVESTIGATIVE COMMITTEE OF
THE NEVADA STATE BOARD OF MEDICAL EXAMINERS

By: 

Robert Kilroy, Esq., General Counsel
Aaron Bart Fricke, Esq., Deputy General Counsel
Donald K. White, Esq., Deputy General Counsel
Attorneys for the Investigative Committee

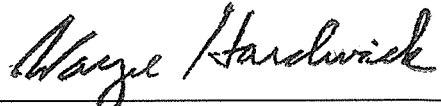
VERIFICATION

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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 23rd day of October, 2017.



Wayne Hardwick, M.D.

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

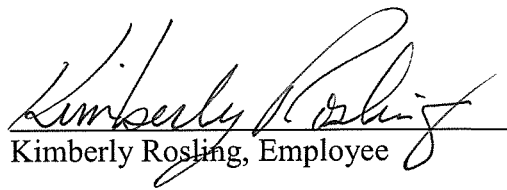
CERTIFICATE OF SERVICE

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I hereby certify that I am employed by the Nevada State Board of Medical Examiners and that on the 23rd day of October, 2017, I served a file-stamped copy of the COMPLAINT and FINGERPRINT INFORMATION, via USPS e-certified return receipt mail (9171 9690 0935 0096 3214 99) to the following:

William Alvear, M.D.
530 E. St. Louis Avenue
Las Vegas, NV 89104

DATED this 23rd day of October, 2017.


Kimberly Rosling, Employee