

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

3 * * * * *

4
5 **In the Matter of Charges and**
6 **Complaint Against**
7 **JASON RUSSELL BURKE, M.D.,**
8 **Respondent.**

Case No. 18-20493-1

FILED

MAY - 7 2018

**NEVADA STATE BOARD OF
MEDICAL EXAMINERS**

By: 

9
10 **COMPLAINT**

11 The Investigative Committee¹ (IC) of the Nevada State Board of Medical Examiners
12 (Board), hereby issues this formal Complaint against Jason Russell Burke, M.D. (hereinafter
13 referred to as Respondent), a licensed physician in Nevada. After investigating this matter, the IC
14 has a reasonable basis to believe that Respondent has violated provisions of Nevada Revised
15 Statutes (NRS) Chapter 630 and Nevada Administrative Code (NAC) Chapter 630 (collectively,
16 the Medical Practice Act).

17 The IC alleges the following facts:

18 1. Respondent is a medical doctor currently licensed in active status (License No.
19 9779). Respondent was issued his license from the Board on May 15, 2001, pursuant to NRS
20 Chapter 630.

21 **Count I – Patient A**

22 **NRS 630.3062(1) (Failure to Maintain Medical Records)**

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

25 3. Respondent treated Patient A in or about September 2014. Patient A's true identity
26 is not disclosed herein to protect his or her privacy, but is disclosed in the Patient Designation
27 served upon Respondent along with a copy of this Complaint.

28 ¹ The Investigative Committee of the Nevada State Board of Medical Examiners, at the time the filing of a complaint was approved, was composed of Rachakonda D. Prabhu, M.D., Ms. Sandy Peltyn, and Victor M. Muro, M.D.

1 4. NRS 630.3062(1) provides that the failure to maintain timely, legible, accurate and
2 complete medical records relating to the diagnosis, treatment and care of a patient is grounds for
3 initiating discipline against a licensee.

4 5. Respondent failed to maintain complete medical records relating to the diagnosis,
5 treatment and care of Patient A when, on information and belief, Respondent converted his
6 medical practice to an Electronic Medical Records (EMR) system, during which conversion
7 certain handwritten medical records pertaining to Patient A's treatment were misplaced and not
8 loaded onto the EMR system, and were ultimately lost.

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

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

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

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

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

20 4. That the Nevada State Board of Medical Examiners make, issue and serve on
21 Respondent its findings of fact, conclusions of law and order, in writing, that includes the
22 sanctions imposed; and

23 5. That the Nevada State Board of Medical Examiners take such other and further
24 action as may be just and proper in these premises.

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OFFICE OF THE GENERAL COUNSEL
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DATED this 7 day of May, 2018.

INVESTIGATIVE COMMITTEE OF
THE NEVADA STATE BOARD OF MEDICAL EXAMINERS

By: 

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

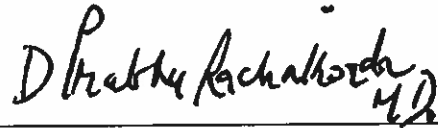
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VERIFICATION

STATE OF NEVADA)
 : ss.
COUNTY OF CLARK)

Rachakonda D. Prabhu, 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 7th day of May, 2018.



Rachakonda D. Prabhu, M.D.