

COUNT I

NRS 630.301(4) (Malpractice)

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

5 6. NRS 630.301(4) provides that malpractice of a physician is grounds for initiating
6 disciplinary action against a licensee.

7 7. NAC 630.040 defines malpractice as the failure of a physician, in treating a patient,
8 to use the reasonable care, skill, or knowledge ordinarily used under similar circumstances.

9 8. As demonstrated by, but not limited to, the above-outlined facts, Respondent failed
10 to use the reasonable care, skill or knowledge ordinarily used under similar circumstances when
11 he failed to identify the mass in Patient A's chest, which was on the sagittal images of the MRI.

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

COUNT II

NRS 630.3062(1) (Failure to Maintain Complete Medical Records)

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

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

21 3. Respondent failed to maintain complete medical records relating to the diagnosis,
22 treatment and care of Patient A, by failing to document the high signal mass as shown on Patient
23 A's MRI.

24 4. By reason of the foregoing, Respondent is subject to discipline by the Board as
25 provided in NRS 630.352.

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WHEREFORE, the Investigative Committee prays:

1. That the Board give Respondent notice of the charges herein against him and give him notice that he 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 the sanctions it will impose if it finds Respondent violated the Medical Practice Act;
4. That the Board make, issue and serve on Respondent, in writing, its findings of fact, conclusions of law and order, which shall include the sanctions imposed; and
5. That the Board take such other and further action as may be just and proper in these premises.

Dated this 31 day of July, 2018.

INVESTIGATIVE COMMITTEE OF THE
NEVADA STATE BOARD OF MEDICAL EXAMINERS

By: 
Robert Kilroy, Esq., General Counsel
Attorney for the Investigative Committee

VERIFICATION

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STATE OF NEVADA)
 : ss.
COUNTY OF CLARK)

Rachakonda D. Prabhu 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 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 31st day of July, 2018.



Rachakonda D. Prabhu, M.D.
Chairman, Investigative Committee
Nevada State Board of Medical Examiners

OFFICE OF THE GENERAL COUNSEL
Nevada State Board of Medical Examiners
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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) Case No. 18-7235-1
LUKE ST. JOHN CESARETTI, M.D.,)
Respondent.)

CERTIFICATE OF SERVICE

I hereby certify that I am employed by Nevada State Board of Medical Examiners and that on the 15th day of August 2018, I served a file copy of the COMPLAINT and Fingerprint Information via e-certified delivery to the following:

Luke St. John Cesaretti, M.D.
3025 S. Rainbow Blvd
Las Vegas, NV 89146

Dated this 15th day of August 2018.


Dawn DeHaven Gordillo
Legal Assistant