

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

3 * * * * *

4 **In the Matter of Charges and**
5 **Complaint Against**
6 **MAX L. CARTER, PA,**
7 **Respondent.**

Case No. 18-350-1

FILED

OCT 22 2018

NEVADA STATE BOARD OF
MEDICAL EXAMINERS

By: 

8
9 **COMPLAINT**

10 The Investigative Committee¹ (IC) of the Nevada State Board of Medical Examiners (Board)
11 hereby issues this formal Complaint (Complaint) against Max L. Carter, PA (Respondent), a
12 physician assistant licensed in Nevada. After investigating this matter, the IC has a reasonable basis
13 to believe that Respondent has violated provisions of Nevada Revised Statutes (NRS) Chapter 630
14 and Nevada Administrative Code (NAC) Chapter 630 (collectively, the Medical Practice Act). The
15 IC alleges the following facts:

16 1. Respondent is a physician assistant licensed to practice medicine in the State of
17 Nevada (License No. 592). He was first licensed by the Board on May 4, 1999, and was licensed
18 by the Board at all times relevant to this Complaint.

19 **A. Respondent's Treatment of Patient A**

20 2. Patient A's identity is not disclosed herein to protect his or her privacy, but is
21 disclosed in the Patient Designation served upon Respondent along with a copy of this Complaint.

22 **COUNT I**

23 **NRS 630.306(1)(b)(2) (Violation of Standards of Practice)**

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

26 4. Respondent treated Patient A for chronic pain with opioid analgesics.

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28 ¹ The Investigative Committee (IC) of the Nevada State Board of Medical Examiners (Board), at the time this formal
Complaint was authorized for filing, was composed of Rachakonda D. Prabhu, M.D., Ms. Sandy Peltyn, and Victor
M. Muro, M.D.

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5. Violation of a standard of practice adopted by the Board is grounds for disciplinary action pursuant to NRS 630.306(1)(b)(2).

6. The Board adopted by reference the *Model Policy on the Use of Opioid Analgesics in the Treatment of Chronic Pain*, July 2013, published by the Federation of State Medical Boards of the United States, Inc. (Model Policy).

7. Pursuant to NAC 630.230(1)(k), a licensee shall not engage in the practice of writing prescriptions for controlled substances to treat acute pain or chronic pain in a manner that deviates from the policies set forth in the *Model Policy on the Use of Opioid Analgesics in the Treatment of Chronic Pain* adopted by reference in NAC 630.187.

8. Respondent wrote prescriptions to Patient A for opioid analgesics to treat chronic pain in a manner that deviated from the Model Policy.

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

WHEREFORE, the Investigative Committee prays:

1. That the Board give Respondent notice of the charges herein and give notice that an answer to the Complaint herein may be filed 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 determines 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, that includes the sanctions imposed; and

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5. That the Board take such other and further action as may be just and proper in these premises.

DATED this 22 day of October, 2018.

INVESTIGATIVE COMMITTEE OF THE
NEVADA STATE BOARD OF MEDICAL EXAMINERS

By: 

Aaron Bart Fricke, Esq., Deputy General Counsel
Attorney for the Investigative Committee

VERIFICATION

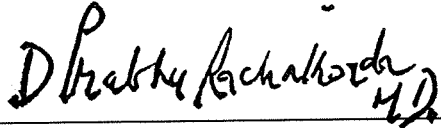
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STATE OF NEVADA)
 : ss.
COUNTY OF CLARK)

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 22nd day of October, 2018.

INVESTIGATIVE COMMITTEE OF THE
NEVADA STATE BOARD OF MEDICAL EXAMINERS



Rachakonda D. Prabhu, M.D.