

BEFORE THE BOARD OF MEDICAL EXAMINERS  
OF THE STATE OF NEVADA

\* \* \* \* \*

In the Matter of Charges and  
Complaint Against  
RUSSELL P. GOLLARD, M.D.,  
Respondent.

Case No. 18-11308-1

FILED

OCT 17 2018

NEVADA STATE BOARD OF  
MEDICAL EXAMINERS  
By: 

COMPLAINT

The Investigative Committee<sup>1</sup> (IC) of the Nevada State Board of Medical Examiners (“Board”) hereby issues this formal Complaint against Russell P. Gollard, M.D. (hereinafter referred to as 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 currently licensed in active status (License No. 7818). Respondent was issued his license from the Board on June 12, 1996, pursuant to the provisions of NRS Chapter 630.

2. Patient A was a 41-year-old female at the time of the events at issue. Her true identity is not disclosed herein to protect her privacy, but is disclosed in the Patient Designation served upon Respondent along with a copy of this Complaint.

3. On or about October 12, 2011, Patient A first presented to Respondent for treatment for breast cancer.

<sup>1</sup> 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. Respondent performed a clinical assessment of Patient A and determined that  
2 Patient A was “DCIS, high-grade, ER/PR negative.”

3 5. Respondent started Patient A on a chemotherapy regimen of Taxotere and Cytoxan,  
4 based on the clinical assessment.

5 6. In or about December 2011, Respondent recommended four (4) cycles of  
6 chemotherapy (Taxotere and Cytoxan).

7 7. Patient A received treatment from in or about October 2011 until in or about March  
8 2015.

9 8. Patient A’s medical records did not include the following: clinical facts, whether  
10 necessary informed consents were performed on a regular basis, discussions with Patient A  
11 regarding pathology, prognosis, treatment options, and the toxicity and side effects of therapeutic  
12 interventions.

13 **COUNT I**

14 **NRS 630.3062(1)(a) (Failure to Maintain Proper Medical Records)**

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

17 10. NRS 630.3062(1)(a) provides that the failure to maintain timely, legible, accurate  
18 and complete medical records relating to the diagnosis, treatment and care of a patient constitutes  
19 grounds for initiating disciplinary action.

20 11. Respondent failed to maintain complete medical records relating to the diagnosis,  
21 treatment and care of Patient A, by failing to sufficiently document the following: clinical facts,  
22 whether necessary informed consents were performed on a regular basis, documentation of  
23 discussions with Patient A regarding pathology, prognosis, treatment options, and the toxicity and  
24 side effects of therapeutic interventions.

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

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

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

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

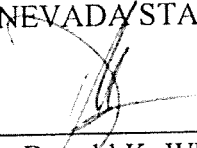
7           3.       That the Nevada State Board of Medical Examiners determine what sanctions to  
8 impose if it determines there has been a violation or violations of the Medical Practice Act  
9 committed by Respondent;

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

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

15                   DATED this 17<sup>th</sup> day of October, 2018.

16                                   INVESTIGATIVE COMMITTEE OF  
17                                   THE NEVADA STATE BOARD OF MEDICAL EXAMINERS

18                                   By:   
19                                   \_\_\_\_\_  
20                                   (Donald K. White, Esq., Deputy General Counsel  
21                                   Attorney for the Investigative Committee  
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OFFICE OF THE GENERAL COUNSEL  
Nevada State Board of Medical Examiners  
9600 Gateway Drive  
Reno, Nevada 89521  
(775) 688-2559

VERIFICATION

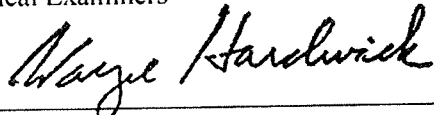
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STATE OF NEVADA            )  
                                      : ss.  
COUNTY OF WASHOE        )

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 17<sup>th</sup> day of October, 2018.

Investigative Committee of the Nevada State Board of  
Medical Examiners



Wayne Hardwick, M.D., Chairman