

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

3 * * * * *

4 **In the Matter of Charges and**)
5)
6 **Complaint Against**)
7)
8 **YARON ZEDEK, M.D.,**)
9 **Respondent.**)

Case No. 18-10652-1

FILED

OCT 30 2018

NEVADA STATE BOARD OF
MEDICAL EXAMINERS
By: 

10 **COMPLAINT**

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

17 The IC alleges the following facts:

18 1. Respondent is currently licensed in active status (License No. 7310), and at all
19 times has been licensed as a physician by the Board since December 15, 1994, pursuant to the
20 provisions of the Medical Practice Act.

21 2. Patient A's true identity is not disclosed in this Complaint to protect her identity,
22 but her identity is disclosed in the Patient Designation contemporaneously served on Respondent
23 with this Complaint.

24 3. On December 28, 2016, Patient A presented to Respondent for a prescription refill.
25 The Medical Records of Initial Psychiatric Report (Medical Record) indicated the following:
26 patient comes in today with a history and set of complaints that meet diagnostic criteria for post-

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

OFFICE OF THE GENERAL COUNSEL
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1 traumatic stress disorder (PTSD) due to domestic abuse, panic disorder, as well as bipolar
2 disorder, depression, severe, without psychotic features, no known problems with alcohol or drug
3 abuse, and mood is depressed in the mental status exam section.

4 4. This Medical Record's documentation did not include any specific history or
5 psychiatric signs or symptoms that are included in the set of complaints. Specifically, this
6 Medical Record lacks the following:

7 a. Patient A's chief complaint, objective descriptions of her symptoms, her level of
8 distress and functioning, along with a pertinent review of systems, and a justification for the
9 diagnosis of Bipolar Disorder and justification for treatment with the drug Lamictal. A diagnosis
10 of Bipolar Disorder, Depressed Phase, requires a history of multiple psychiatric symptoms over
11 defined periods of time. Here, the Medical Record contains only the following "meets diagnostic
12 criteria" without any specific symptom identification.

13 b. Documentation that addresses Patient A's antidepressant use, symptom status of
14 the PTSD and panic disorder, and the potential risk of adding Lamictal to the concurrent
15 treatment with the antidepressant Zoloft medication. There is no foundation for psychiatric
16 diagnosis and a lack of rationale for treatment with Lamictal when Patient A was already being
17 treated with an antidepressant.

18 c. Documentation of social history and past mental health history, lacking the
19 consideration and documentation thereof, and the effects and interaction of other, non-psychiatric
20 medications (Robaxin, Diclofenac, Baclofen, Lortab) that Patient A was taking at the time of this
21 examination.

22 5. As set forth in the Practice Guidelines published by the American Psychiatric
23 Association (APA), which are the most widely accepted standards of care for psychiatric patients,
24 the standard of care for the initial psychiatric evaluation of a patient includes documentation of the
25 rationale for treatment selection, including the discussion of specific factors that influenced the
26 treatment choice, and it is important to discuss the factors that influenced the treatment choice, as
27 such as symptom or syndrome being addressed by the treatment, the patient's preferences
28

1 regarding treatment, the potential side effects of treatment relative to other options, and the past
2 responses of patient to treatment.

3 6. As set forth from the Diagnostic and Statistical Manual of Mental Disorders, Fifth
4 Edition (DSM-5), the standard of care for the diagnostic criteria for Bipolar Disorder include a
5 history of a manic episode (a distinct period of an elevated mood lasting at least a week, plus three
6 or more defined mood or behavioral symptoms) and marked impairment functioning. The DSM-5
7 further states that a diagnosis of Bipolar Disorder with depression requires that the criteria for this
8 disorder are met at a previous time and the individual reports or demonstrates five (5) or more
9 symptoms of major depression for two (2) weeks or longer.

10 **COUNT I**

11 **NRS 630.301(4) (Malpractice)**

12 7. All of the allegations contained in the above paragraphs are hereby incorporated by
13 reference as though fully set forth herein.

14 8. NRS 630.301(4) provides that malpractice by a physician is grounds for initiating
15 disciplinary action against a licensee.

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

18 10. As demonstrated by, but not limited to, the above-outlined facts, Respondent failed
19 to use the reasonable care, skill or knowledge ordinarily used under similar circumstances when
20 he treated Patient A.

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

23 **COUNT II**

24 **NRS 630.3062(1)(a) (Failure to Maintain Complete Medical Records)**

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

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

4 14. Respondent failed to maintain timely, legible, accurate and complete medical
5 records relating to the diagnosis, treatment and care of Patient A.

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

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

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

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

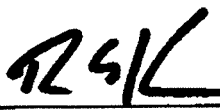
14 3. That the Nevada State Board of Medical Examiners determine what sanctions to
15 impose if it determines there has been a violation or violations of the Medical Practice Act
16 committed by Respondent;

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

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

22
23 DATED this 29th day of October, 2018.

24 INVESTIGATIVE COMMITTEE OF THE
25 NEVADA STATE BOARD OF MEDICAL EXAMINERS

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

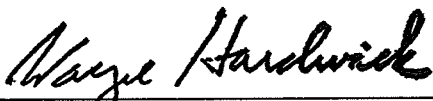
VERIFICATION

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STATE OF NEVADA)
 : ss.
COUNTY OF WASHOE)

Wayne Hardwick, 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 29th day of October, 2018.



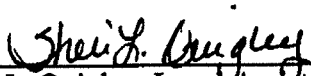
Wayne Hardwick, M.D.
Chairman Investigative Committee
Nevada State Board of Medical Examiners

CERTIFICATE OF MAILING

I hereby certify that I am employed by Nevada State Board of Medical Examiners and that on 31st day of October 2018; I served a filed copy of the COMPLAINT, PATIENT DESIGNATION and fingerprinting information via USPS e-certified return receipt mail to the following:

Yaron Zedek, M.D.
6889 S. Eastern Avenue
Las Vegas, NV 89119

Dated this 31st day of October, 2018.



Sheri L. Quigley, Legal Assistant