

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 **DEVENDRAKUMAR I. PATEL, M.D.,**
8 **Respondent.**

Case No. 18-29352-1

FILED

FEB - 1 2018

NEVADA STATE BOARD OF
MEDICAL EXAMINERS

By: 

9
10 **FIRST AMENDED COMPLAINT**

11 The Investigative Committee¹ (IC) of the Nevada State Board of Medical Examiners (Board), by
12 and through Aaron Bart Fricke, Esq., Deputy General Counsel and attorney for the IC, having a
13 reasonable basis to believe that Devendrakumar I. Patel, M.D. (Respondent) violated the provisions of
14 Nevada Revised Statutes (NRS) Chapter 630 and Nevada Administrative Code (NAC) Chapter 630
15 (collectively, the Medical Practice Act), hereby issues its Complaint, stating the IC's charges and
16 allegations as follows:

17 1. Respondent is a physician licensed to practice medicine in the State of Nevada (License
18 No. 11068). He was originally licensed by the Board on July 23, 2004.

19 2. Patient A was a 58-year-old male when he presented to Respondent for medical care on
20 October 2, 2012. Patient A's true identity is not disclosed herein to protect his privacy, but is disclosed in
21 the Patient Designation served upon Respondent along with a copy of this Complaint.

22 3. On October 2, 2012, Patient A presented to Respondent with signs and symptoms of an
23 ST² elevation myocardial infarction (STEMI) of the inferior wall. Despite ample medical evidence
24 available to him, Respondent failed to properly assess and diagnose the STEMI on October 2, 2012.

25 4. Based on the medical evidence available to him, specifically, ongoing clinical and ECG
26 changes consistent with ischemia, Respondent failed to order urgent cardiac revascularization at a facility

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28 ¹ The Investigative Committee of the Nevada State Board of Medical Examiners, at the time the filing of the Complaint was approved, was composed of Theodore B. Berndt, M.D., Wayne Hardwick, M.D., and Mr. M. Neil Duxbury.

² In electrocardiography, the "ST" segment connects the QRS complex and the T wave and has a duration of 0.005 to 0.150 sec (5 to 150 ms). ST elevation may indicate transmural myocardial infarction.

1 capable of rapid revascularization, including Percutaneous Coronary Intervention (PCI) or Coronary
2 Artery Bypass Grafting (CABG), for Patient A on October 2, 2012.

3 **COUNT I**

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

5 5. All of the allegations in the above paragraphs are hereby incorporated as if fully set forth
6 herein.

7 6. Malpractice is grounds for disciplinary action against a licensee pursuant to NRS
8 630.301(4).

9 7. NAC 630.040 defines malpractice as the failure to use the reasonable care, skill, or
10 knowledge ordinarily used under similar circumstances when treating a patient.

11 8. As demonstrated by, but not limited to, the above-outlined facts, Respondent committed
12 malpractice with respect to his treatment of Patient A.

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

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

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

19 2. That the Board set a time and place for a formal hearing after holding an
20 Early Case Conference pursuant to NRS 630.339(3);

21 3. That the Board determine the sanctions it will impose if it finds Respondent violated the
22 Medical Practice Act;

23 4. That the Board make, issue and serve upon the Respondent, in writing, its findings of fact,
24 conclusions of law and order, which shall include the sanctions imposed; and

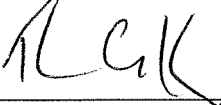
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5. That the Board take such other and further action as may be just and proper in these premises.

DATED this 1 day of February, 2018.

INVESTIGATIVE COMMITTEE OF THE
NEVADA STATE BOARD OF MEDICAL EXAMINERS

By:  _____

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


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VERIFICATION

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 First Amended Complaint against the Respondent herein; that he has read the foregoing First Amended 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 First Amended Complaint against Respondent are true, accurate and correct.

DATED this 1st day of February, 2018.



Wayne Hardwick, 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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Reno, Nevada 89502
(775) 688-2559

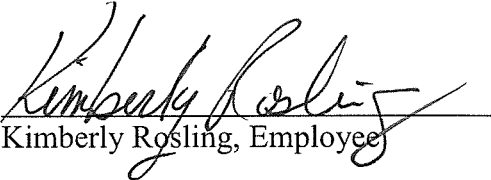
CERTIFICATE OF SERVICE

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I hereby certify that I am employed by the Nevada State Board of Medical Examiners and that on the 1st day of February, 2018, I served a file-stamped copy of the FIRST AMENDED COMPLAINT and PATIENT DESIGNATION, via USPS e-certified return receipt mail (9171 9690 0935 0096 2374 00) to the following:

Devendrakumar I. Patel, M.D.
NORTHERN NEVADA CARDIOLOGY PC
674 North Cedar Street
Elko, NV 89801

DATED this 1st day of February, 2018.


Kimberly Rosling, Employee