

OFFICE OF THE GENERAL COUNSEL
Nevada State Board of Medical Examiners
9600 Gateway Drive
Reno, Nevada 89521
(775) 688-2559

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

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**In the Matter of Charges and Complaint
Against
ELMER E. ALEGRE, M.D.,
Respondent.**

Case No. 19-12962-1

FILED

MAY - 6 2019

NEVADA STATE BOARD OF
MEDICAL EXAMINERS

By: 

COMPLAINT

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

1. Respondent was at all times relative to this Complaint a physician holding an active license to practice medicine in the State of Nevada (License No. 9380). Respondent was originally licensed by the Board on May 16, 2000.

COUNT I

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

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

3. Respondent treated Patient A for chronic pain with opioid analgesics. Patient A's true identity is not disclosed herein to protect his or her privacy, but is disclosed in the Patient Designation served upon Respondent along with a copy of this Complaint.

¹ The Investigative Committee of the Nevada State Board of Medical Examiners, at the time this formal Complaint was authorized for filing, was composed of Board members Wayne Hardwick, M.D., Chairman, Mr. M. Neil Duxbury, and Aury Nagy, M.D.

COUNT III

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

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

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

15. Respondent treated Patient B for chronic pain with opioid analgesics. Patient B's true identity is not disclosed herein to protect his or her privacy, but is disclosed in the Patient Designation served upon Respondent along with a copy of this Complaint.

16. On information and belief, Respondent wrote prescriptions to Patient B for opioid analgesics to treat chronic pain in a manner that deviated from the Model Policy.

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

COUNT IV

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

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

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

20. Respondent failed to maintain complete medical records relating to the diagnosis, treatment and care of Patient B, by failing to document his actions in complying with the Model Policy, including, but not limited to, failing to document the following: physical examinations before prescribing opioid analgesics; support for his diagnoses with physical examination findings; treatment objectives to evaluate treatment progress; monitoring patient compliance with testing and adapting his treatment plan based on patient compliance; progress toward discontinuation of opioid therapy.

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1 testing and adapting his treatment plan based on patient compliance; progress toward
2 discontinuation of opioid therapy.

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

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

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

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

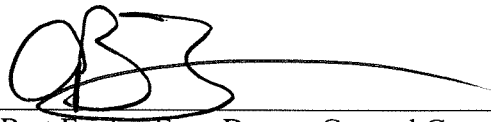
11 3. That the Board determine what sanctions to impose if it determines there has been
12 a violation or violations of the Medical Practice Act committed by Respondent;

13 4. That the Board make, issue and serve on Respondent its findings of fact,
14 conclusions of law and order, in writing, that includes the sanctions imposed; and

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

17 DATED this 6 day of May, 2019.

18 INVESTIGATIVE COMMITTEE OF THE
19 NEVADA STATE BOARD OF MEDICAL EXAMINERS

20 By: 
21 Aaron Bart Fricke, Esq., Deputy General Counsel
22 Attorney for the Investigative Committee
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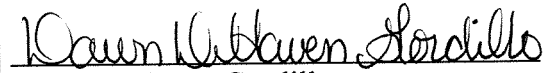
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CERTIFICATE OF MAILING

I hereby certify that I am employed by Nevada State Board of Medical Examiners and that on 6th day of May, 2019; I served a filed copy of the COMPLAINT (19-12962-1), via USPS e-certified return receipt mail to the following:

Lyn E. Beggs, Esq.
328 California Ave, Ste. 3
Reno, NV 89509

Dated this 6th day of May, 2019.


Dawn DeHaven Gordillo
Legal Assistant