

BEFORE THE BOARD OF MEDICAL EXAMINERS
OF THE STATE OF NEVADA

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In the Matter of Charges and
Complaint Against
JON L. SIEMS, M.D.,
Respondent.

Case No. 19-13009-2

FILED

NOV 13 2019

NEVADA STATE BOARD OF
MEDICAL EXAMINERS

By: _____

COMPLAINT

The Investigative Committee¹ (IC) of the Nevada State Board of Medical Examiners (“Board”) hereby issues this formal Complaint against Jon L. Siems, 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, and was at all times relevant to this Complaint, licensed in active status (License No. 9250). Respondent was issued his license from the Board on December 20, 1999, pursuant to the provisions of NRS Chapter 630.

Patient A

2. Patient A was between the ages of 46 years old and 54 years old during 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. Patient A initially saw Respondent on or about July 26, 2007, for a Lasik evaluation.

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 Wayne Hardwick, M.D., Mr. M. Neil Duxbury, and Aury Nagy, M.D..

1 4. Respondent diagnosed Patient A with keratoconus based on orbiscans performed by
2 Respondent.

3 5. Respondent implanted Intacs for Patient A soon thereafter reportedly to stabilize
4 her corneas.

5 6. Patient A reported to Respondent's office on or about August 24, 2007 for her
6 surgery to implant the Intacs and signed an informed consent.

7 7. The informed consent made no mention of corneal instability but referred to
8 implantation of Intacs to correct nearsightedness.

9 8. Over the next six years, approximately, Patient A visited Respondent and his
10 associates 27 times, during which she complained of poor vision and recurrent episodes of corneal
11 inflammation, requiring treatment with ocular lubricants, topical steroids, and both corrective and
12 bandage contact lenses.

13 9. On or about June, 21, 2012, Respondent diagnosed Patient A with peripheral
14 corneal vascularization and protein deposits around the Intacs.

15 10. Patient A's last visit to Respondent was October 12, 2013, with best corrected
16 vision of 20/50 with doubling of myopia to -6.00 diopters in both eyes.

17 11. Patient A continued to have discomfort and vision problems following her final
18 visit to Respondent.

19 12. Patient A sought relief through other eye care professionals for a period of
20 approximately two more years.

21 13. One of those doctors removed the Intacs from Patient A's left eye on June 11,
22 2015, and from her right eye on August 1, 2015, at which time her vision improved and the
23 corneal vascularization began to dissipate.

24 14. The medical records Respondent provided fail to document clearly defined
25 indications and documentation for the diagnosis and treatment of keratoconus.

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COUNT I

NRS 630.301(4) (Malpractice)

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

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

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

18. As demonstrated by, but not limited to, the above-outlined facts, Respondent failed to use the reasonable care, skill or knowledge ordinarily used under similar circumstances in treating Patient A when he did not provide alternative treatment for the discomfort she suffered for the three to four years that Respondent continued treating Patient A following the placement of the Intacs.

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

COUNT II

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

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

21. NRS 630.3062(1)(a) provides that the failure to maintain complete medical records relating to the diagnosis, treatment and care of a patient constitutes grounds for initiating disciplinary action against a licensee.

22. Respondent failed to maintain complete medical records/notes relating to the diagnosis, treatment and care of Patient A when he failed to document clearly defined indications and documentation for the diagnosis and treatment of keratoconus.

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

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WHEREFORE, the Investigative Committee prays:

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

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

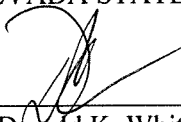
3. That the Nevada State Board of Medical Examiners determine what sanctions to impose if it determines there has been a violation or violations of the Medical Practice Act committed by Respondent;

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

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

DATED this 13 day of November, 2019.

INVESTIGATIVE COMMITTEE OF
THE NEVADA STATE BOARD OF MEDICAL EXAMINERS

By: 
Donald K. White, Esq., Deputy General Counsel
Attorney for the Investigative Committee

VERIFICATION

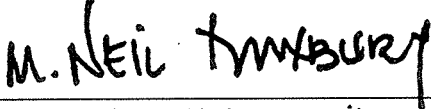
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STATE OF NEVADA)
 : ss.
COUNTY OF WASHOE)

Mr. M. Neil Duxbury, 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 13th day of November, 2019.

INVESTIGATIVE COMMITTEE OF
THE NEVADA STATE BOARD OF MEDICAL EXAMINERS



M. Neil Duxbury, Chairman