

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

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4
5 **In the Matter of Charges and**
6 **Complaint Against**
7 **LANE FIELDING SMITH, M.D.,**
8 **Respondent.**

Case No. 19-24424-1

FILED

AUG - 8 2019

NEVADA STATE BOARD OF
MEDICAL EXAMINERS

By: 

9
10 **COMPLAINT**

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

17 1. Respondent was at all times relevant to this Complaint, a physician licensed to
18 practice medicine in the State of Nevada (License No. 10065). His license was originally issued
19 by the Board on January 8, 2002.

20 **A. Respondent's Treatment of Patient A**

21 2. Patient A was a close personal friend of Respondent, and a patient of Respondent.
22 Respondent ended his physician-patient relationship with Patient A on June 28, 2014. Patient A's
23 true identity is not disclosed herein to protect his or her privacy, but is disclosed in the Patient
24 Designation served upon Respondent along with a copy of this Complaint.

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28 ¹ The Investigative Committee (IC) of the Nevada State Board of Medical Examiners (Board), 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.

1 3. Respondent prescribed Lexapro, an anti-depressant, to Patient A on or about
2 November 25, 2014, when Respondent no longer had a bona fide physician-patient relationship
3 with Patient A.

4 4. Respondent failed to maintain medical records relating to the diagnosis and
5 treatment of Patient A for the November 25, 2014 prescription.

6 5. Respondent prescribed Lexapro, with 5 refills, and Valium, a schedule IV
7 controlled substance, to Patient A on or about February 15, 2015, when Respondent no longer had
8 a bona fide physician-patient relationship with Patient A.

9 6. Respondent failed to maintain medical records relating to the diagnosis and
10 treatment of Patient A for the February 15, 2015 prescription.

11 **COUNT I**

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

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

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

18 9. Respondent failed to maintain complete medical records relating to the diagnosis,
19 treatment and care of Patient A for his prescription of Lexapro on November 25, 2014, and his
20 prescriptions of Lexapro and Valium on or about February 15, 2015.

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

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

24 1. That the Board give Respondent notice of the charges herein and give notice that
25 an answer to the Complaint herein may be filed as set forth in NRS 630.339(2) within twenty (20)
26 days of service of the Complaint;

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

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

DATED this 7 day of August, 2019.

INVESTIGATIVE COMMITTEE OF THE
NEVADA STATE BOARD OF MEDICAL EXAMINERS

By: 
Aaron Bart Fricke, Esq., Deputy General Counsel
Attorney for the Investigative Committee

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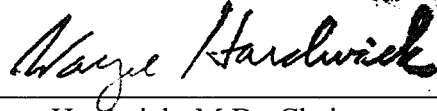
VERIFICATION

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 8th day of August, 2019.

INVESTIGATIVE COMMITTEE OF THE
NEVADA STATE BOARD OF MEDICAL EXAMINERS



Wayne Hardwick, M.D., Chairman

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CERTIFICATE OF MAILING

I hereby certify that I am employed by Nevada State Board of Medical Examiners and that on 8th day of August, 2019; I served a filed copy of the COMPLAINT (19-24424-1), via USPS e-certified return receipt mail to the following:

LANE FIELDING SMITH
c/o John Cotton & Associates Ltd.
John Cotton, Esq.
7900 West Sahara, Suite 200
Las Vegas, NV 89117

Dated this 8th day of August, 2019.


Dawn DeHaven Gordillo
Legal Assistant