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BEFORE THE BOARD OF MEDICAL EXAMINERS
OF THE STATE OF NEVADA

* * * * *

**In the Matter of Charges and
Complaint Against
MICHELLE R. CLOUTHIER, RRT,
Respondent.**

Case No. 19-24637-1

FILED
JAN 15 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 Michelle R. Clouthier, RRT (hereinafter referred to as Respondent), a licensed Registered Respiratory Therapist (RRT) 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 licensed in active status (License No. RC363). Respondent was issued her license from the Board on December 14, 2001, pursuant to the provisions of NRS Chapter 630.
2. Patient A was a 61-year-old female at 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. On or about November 15, 2014, Patient A, who was in critical condition and recently intubated, was admitted to the Medical Intensive Care Unit (MICU) of Desert Springs

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 Rachakonda D. Prabhu, M.D., Ms. Sandy Peltyn and Victor M. Muro, M.D.

1 Hospital in Las Vegas, Nevada. Patient A was then transported from the MICU to receive a CT
2 scan and back to the MICU on the same day.

3 4. Cynthia V. Ivey, CRT (Ms. Ivey) was the respiratory therapist assigned to
4 accompany Patient A and provide her respiratory expertise and necessary respiratory equipment to
5 ensure safe transport. Respondent and Ms. Ivey were coworkers and were both respiratory
6 therapists at Desert Springs Hospital.

7 5. Another medical provider was also assigned to accompany Patient A and provide
8 medical expertise, monitoring equipment and medications that may have been necessary to ensure
9 a safe transport.

10 6. Upon information and belief, during transport of Patient A back from the CT scan,
11 the supplemental oxygen supply apparently ran out and a manual resuscitation bag was not
12 available to continue necessary ventilation.

13 7. Following these events, Ms. Ivey failed to document this information in Patient A's
14 medical records as required by NRS 630.3062(1)(a) at the end of her shift on November 15, 2014.

15 8. Two days later, on or about November 17, 2014, at the request and direction of Ms.
16 Ivey, Respondent made an entry into Patient A's medical records using Ms. Ivey's electronic
17 signature (logon ID and password), which Ms. Ivey provided to Respondent.

18 9. Ms. Ivey made that request to Respondent via text message to Respondent that
19 stated, "Pt. in MICU 10 add note for yesterday 5:30 pm that Patient desaturated on the way back
20 from CT bagged Patient till oxygen came back up then put patient back on vent."

21 10. Respondent did not provide or observe the patient care of Patient A, provided by
22 Ms. Ivey, on or about November 15, 2014.

23 **COUNT I**

24 **Failure to Maintain Timely, Legible, Accurate and Complete Medical Records**

25 **Patient A - NRS 630.3062(1)(a)**

26 11. All of the allegations in the above paragraphs are hereby incorporated by reference
27 as though fully set forth herein.
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19. By reason of the foregoing, Respondent is subject to discipline by the Board as provided in NRS 630.352.

WHEREFORE, the Investigative Committee prays:

1. That the Nevada State Board of Medical Examiners give Respondent notice of the charges herein against her and give her notice that she 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);

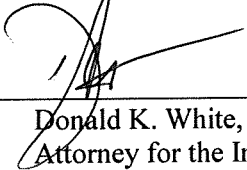
3. That the Nevada State Board of Medical Examiners determine what sanctions to impose if it determines there has been a violation or violations of the Medical Practice Act committed by Respondent;

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 15th day of January, 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

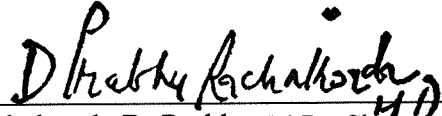
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STATE OF NEVADA)
 : ss.
COUNTY OF CLARK)

Rachakonda D. Prabhu, 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 15th day of January, 2019.

INVESTIGATIVE COMMITTEE OF THE NEVADA
STATE BOARD OF MEDICAL EXAMINERS



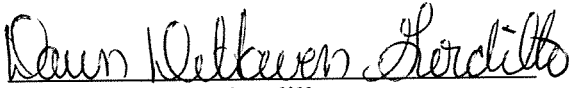
Rachakonda D. Prabhu, M.D., Chairman

CERTIFICATE OF MAILING

1
2 I hereby certify that I am employed by Nevada State Board of Medical Examiners and that
3 on 15th day of January, 2019; I served a filed copy of COMPLAINT, via USPS e-certified return
4 receipt mail to the following:

5 Michelle Rudge Clouthier, R.R.T.
6 2375 East Tropicana Avenue #8-285
7 Las Vegas, NV 89119

8 Dated this 15th day of January, 2019.

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10 Dawn DeHaven Gordillo
11 Legal Assistant
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