


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

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

3 * * * * *

4
5 **In the Matter of Charges and Complaint**
6 **Against**
7 **BINH MINH CHUNG, M.D.,**
8 **Respondent.**

Case No. 15-20478-1

FILED
JUL 18 2019
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
12 (Board), by and through Robert Kilroy, Esq., General Counsel and attorney for the IC, having a
13 reasonable basis to believe that Binh Minh Chung, 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 was originally licensed (License No. 11281) in Nevada on January 3,
18 2005. On June 23, 2015, Respondent was summarily suspended from the practice of medicine
19 pursuant to NRS 630.326(1). On June 30, 2015, Respondent's license expired. On July 9, 2015, the
20 IC filed a formal Complaint against Respondent, alleging two violations of the Nevada Medical
21 Practice Act. On July 20, 2015, the IC and Respondent entered into a Stipulation and Order for
22 Indefinite Summary Suspension. On July 17, 2017, the Board ordered an Immediate Suspension
23 based upon jury verdict that found Respondent guilty of eleven (11) felony counts in District Court,
24 Clark County, Nevada, in Case No. C-15-309717-1, Dept. No. XXV, on May 22, 2017. Among
25 these counts are the Administration of a Drug to Aid Commission of a Felony (two counts), the Use
26 of a Minor in Producing Pornography, Sexual Assault, Battery with Intent to Commit a Sexual
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28 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, Chariman, Theodore B. Berndt, M.D., and Mr. M. Neil Duxbury.

1 Assault, Kidnapping in the First Degree, all of which felony counts relate to Respondent's practice
2 of medicine. On June 26, 2019, the Supreme Court of Nevada issued an Order of Affirmance based
3 upon Respondent's appeal from a Judgment of Conviction, pursuant to the aforementioned jury
4 verdict.

5 **COUNT I**

6 **NRS 630.301(1)**

7 **(Conviction of a Felony Relating to the Practice of Medicine)**

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

10 3. NRS 630.301(1) provides that the conviction of a felony relating to the practice of
11 medicine or the ability to practice medicine is grounds for initiating disciplinary action or denying
12 licensure.

13 4. Respondent was convicted of 11 felony counts which relate to his practice of
14 medicine.

15 5. By reason of the foregoing, Respondent is subject to discipline by the Nevada State
16 Board of Medical Examiners as provided in NRS 630.352.

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

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

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

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

25 4. That the Board make, issue and serve on Respondent its findings of fact,
26 conclusions of law and order, in writing, that includes 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 11 day of July, 2019.

INVESTIGATIVE COMMITTEE OF THE
NEVADA STATE BOARD OF MEDICAL EXAMINERS

By: RLK
Robert Kilroy, Esq., General Counsel
Attorney for the Investigative Committee

VERIFICATION

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STATE OF NEVADA)
) ss.
COUNTY OF WASHOE)

Wayne Hardwick, 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 18th day of July, 2019.

INVESTIGATIVE COMMITTEE NEVADA STATE
BOARD OF MEDICAL EXAMINERS



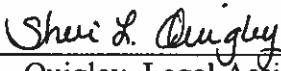
Wayne Hardwick, M.D., Chairman,

CERTIFICATE OF MAILING

I hereby certify that I am employed by Nevada State Board of Medical Examiners and that on the 6th day of November, 2019, I served a filed copy of the FIRST AMENDED COMPLAINT, via USPS e-certified, return receipt mail to the following:

**Binh Minh Chung, #1181843
Lovelock Correction Center
1200 Prison Road
Lovelock, NV 89419**

Dated this 6th day of November, 2019.



Sheri L. Quigley, Legal Assistant