

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

3 * * * * *

4
5 **In the Matter of Charges and**
6 **Complaint Against**
7 **MANE SULAIMAN SHAH, M.D.,**
8 **Respondent.**

Case No. 18-33803-1

FILED

JAN 10 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 (Board)
12 hereby issues this formal First Amended Complaint against Mane Sulaiman Shah, M.D.
13 (Respondent), a physician licensed in Nevada. After investigating this matter, the IC has a
14 reasonable basis to believe that Respondent has violated provisions of Nevada Revised Statutes
15 (NRS) Chapter 630 and Nevada Administrative Code (NAC) Chapter 630 (collectively the Medical
16 Practice Act). The IC alleges the following facts:

17 1. Respondent is licensed in Nevada in active status (License No.12786) and was
18 licensed by the Board on July 1, 2008.

19 2. On or about January 22, 2013, a Criminal Complaint was filed in North Las Vegas
20 Justice Court.

21 3. On or about January 24, 2013, Respondent was arrested for one felony count and
22 one gross misdemeanor count.

23 4. On or about April 29, 2013, an Amended Criminal Complaint was filed in North
24 Las Vegas Justice Court, this time alleging an elder enhancement on the felony count, and it also
25 included an additional gross misdemeanor count.

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28 ¹ The Investigative Committee of the Nevada State Board of Medical Examiners, at the time the filing of this First Amended Complaint was approved, was composed of Wayne Hardwick, M.D., Mr. M. Neil Duxbury and Aury Nagy, M.D.

1 5. On or about September 20, 2013, Respondent was indicted by a Grand Jury in the
2 Eighth Judicial District Court in Clark County on all four counts.

3 6. On or about April 3, 2018, an Amended Indictment was filed alleging one count of
4 Battery with Substantial Bodily Harm, a Category C felony, and Respondent entered into a Guilty
5 Plea Agreement.

6 7. On or about July 31, 2018, Respondent was set for Sentencing in the Eighth
7 Judicial District Court in Clark County, Nevada. Respondent faced a conviction for Battery with
8 Substantial Bodily Harm, a Category C felony, which carries a potential sentence of 1–5 years in
9 Nevada State Prison and a potential fine of up to \$10,000.00, pursuant to NRS 193.130.

10 8. On or about August 16, 2018, Respondent was convicted of, and sentenced for,
11 Battery with Substantial Bodily Harm, a Category C felony, on his patient. The judge sentenced
12 Respondent to the Nevada Department of Corrections for a minimum term of 24 months with a
13 maximum term of 60 months and payment of a \$5,000 fine. The judge suspended the term and
14 placed Respondent on probation for a fixed term of 5 years, with good time credit, and
15 Respondent must comply with standard and special conditions of probation, as required by the
16 Division of Parole and Probation. See attached *Judgment of Conviction (JOC)*, filed on November
17 7, 2018.

18 **Count I**

19 **NRS 630.301(1) (Conviction of a Felony Relating to the Practice of Medicine or the
20 Ability to Practice Medicine)**

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

23 10. NRS 630.301(1) provides that a conviction of a felony relating to the practice of
24 medicine or the ability to practice medicine is grounds for initiating disciplinary action.

25 11. NRS 630.301(1) provides that a plea of nolo contendere is a conviction for the
26 purposes of this subsection.

27 12. On or about August 18, 2016, Respondent was convicted and sentenced for Battery
28 with Substantial Bodily Harm, a Category C felony, of one of Respondent's patients.

1 13. Respondent's conviction for Battery with Substantial Bodily Harm on one of his
2 patients is a felony conviction relating to the practice of medicine or the ability to practice
3 medicine.


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

6 **WHEREFORE**, the IC prays that the Board:

- 7 1. Give Respondent notice of the charges set forth in this First Amended Complaint.
8 2. Give Respondent notice that he may file an answer to the First Amended
9 Complaint as set forth in NRS 630.339(2) within 20 days of service of the First Amended
10 Complaint.
11 3. Set a time and place for a formal hearing after holding an Early Case Conference
12 pursuant to NRS 630.339(3).
13 4. Determine the sanctions it will impose if it finds Respondent violated the Medical
14 Practice Act.
15 5. Make, issue, and serve on Respondent, in writing, its findings of fact, conclusions
16 of law and order, which shall include the sanctions, if imposed.
17 6. Take such other and further action as may be just and proper in this matter.

18 Dated this 10th day of January, 2019.

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

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

VERIFICATION

1 STATE OF NEVADA)
2 : ss.
3 COUNTY OF WASHOE)

4 Wayne Hardwick, M.D. hereby deposes and states under penalty of perjury under the laws
5 of the state of Nevada that he is the Chairman of the Investigative Committee of the Nevada State
6 Board of Medical Examiners that authorized the foregoing First Amended Complaint against the
7 Respondent herein; that he has read the foregoing First Amended Complaint; and based upon
8 information discovered during the course of the investigation into a complaint against Respondent,
9 he believes the allegations and charges in the foregoing First Amended Complaint against
10 Respondent are true, accurate and correct.

11 Dated this 10th day of January, 2019.

12 Investigative Committee of the Nevada State
13 Board of Medical Examiners

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16 Wayne Hardwick, M.D., Chairman

CERTIFICATE OF MAILING

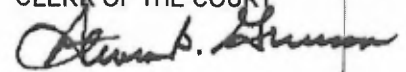
I hereby certify that I am employed by Nevada State Board of Medical Examiners and that on the 14th day of January, 2019, I served a filed copy of COMPLAINT, via USPS e-certified return receipt mail to the following:

Mane Sulaiman Shah, M.D.
c/o John Hunt, Esq.
Clark Hill PLC
3800 Howard Hughes Parkway, Suite 500
Las Vegas, NV 89169
(702) 697-7512
jhunt@clarkhill.com

Dated this 14th day of January, 2019.



Sheri L. Quigley
Legal Assistant



1 JOC
2 STEVEN B. WOLFSON
3 Clark County District Attorney
4 Nevada Bar #001565
5 200 Lewis Avenue
6 Las Vegas, Nevada 89155-2212
7 (702) 671-2500
8 Attorney for Plaintiff

DISTRICT COURT
CLARK COUNTY, NEVADA

7 THE STATE OF NEVADA,

8 Plaintiff,

9 -vs-

CASE NO: C-13-292772-1

10 MANE SHAH, aka, Mane Sulaiman Shah,
11 #2885672

DEPT NO: XX

12 Defendant.

13 JUDGMENT OF CONVICTION
14 (PLEA OF GUILTY)

15 The defendant previously appeared before the Court with counsel and entered a plea
16 of guilty, pursuant to North Carolina v. Alford, 400 U.S. 25 (1970), to the crime of
17 BATTERY WITH SUBSTANTIAL BODILY HARM (Category C Felony), in violation of
18 NRS 200.481; thereafter, on the 16th day of August, 2018, the defendant was present in
19 court for sentencing with his counsel, DAVID Z. CHESNOFF, ESQ., RICHARD A.
20 SCHONFELD, ESQ., and ROBERT DEMARCO, ESQ., and good cause appearing,

21 THE DEFENDANT WAS HEREBY ADJUDGED GUILTY of said offense and, in
22 addition to the \$25.00 Administrative Assessment fee, \$3.00 DNA Collection fee and the
23 \$150.00 DNA Analysis fee including testing to determine genetic markers, the defendant
24 was sentenced as follows: for a MINIMUM term of TWENTY-FOUR (24) MONTHS with a
25 MAXIMUM term of SIXTY (60) MONTHS and PAY A \$5,000 FINE; SUSPENDED;
26 placed on PROBATION for a FIXED term of FIVE (5) YEARS WITH GOOD TIME
27 CREDIT.

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(SHAH)-001.DOCX

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3 STANDARD CONDITIONS:

4 1. REPORTING: You are to report in person to the Division of Parole and Probation
5 as instructed by the Division or its agent. You are required to submit a written report each
6 month on forms supplied by the Division. This report shall be true and correct in all respects.

7 2. RESIDENCE: You shall not change your place of residence without first obtaining
8 permission from the Division of Parole and Probation, in each instance.

9 3. INTOXICANTS: You shall not consume or possess any alcoholic beverages
10 WHATSOEVER or recreational marijuana in Nevada or any other State where such
11 possession is considered legal. Upon order of the Division of Parole and Probation or its
12 agent, you shall submit to a medically recognized test for either breath, blood or urine, to
13 determine blood, breath or urine for alcohol, marijuana or THC content.

14 4. CONTROLLED SUBSTANCES: You shall not use, purchase or possess any
15 illegal drugs, or any prescription drugs, unless first prescribed by a licensed medical
16 professional. You shall immediately notify the Division of Parole and Probation of any
17 prescription received. You shall submit to drug testing as required by the Division or its
18 agent. Absent further Order from the Court, a prescription does not include medical
19 marijuana.

20 5. WEAPONS: You shall not possess, have access to, or have under your control, any
21 firearm, explosive device or other dangerous weapon as defined by Federal, State or local
22 law.

23 6. SEARCH: You shall submit your person, property, place of residence, vehicle, or
24 areas under your control to search including electronic surveillance or monitoring of your
25 location, at any time, with or without a search warrant or warrant of arrest, for evidence of a
26 crime or violation of probation by the Division of Parole and Probation or its agent. The
27 Defendant shall inform any other occupant of the premises where you reside or area under
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1 your control, that the premises or area may be subject to a search pursuant to this condition.
2 As a condition of probation, you specifically consent that your Probation Officer or his or her
3 agent acting at your Probation Officer s direction, may search any laptop or desk top
4 computer, electronic communication device or other device capable of the electronic storage
5 of information for any information contained on the computer or electronic communication
6 or storage device, including but not limited to documents, photographs, text, other messages,
7 e-mails, phone or communication records and audio recordings.

8 7. ASSOCIATES: You must have prior approval by the Division of Parole and
9 Probation to associate with any person convicted of a felony, or any person on probation or
10 parole supervision. You shall not have any contact with persons confined in a correctional
11 institution unless specific written permission has been granted by the Division and the
12 correctional institution.

13 8. DIRECTIVES AND CONDUCT: You shall follow the directives of the Division of
14 Parole and Probation.

15 9. LAWS: You shall comply with all Municipal, County, State, and Federal laws and
16 ordinances.

17 10. OUT-OF-STATE TRAVEL: You shall not leave the state without first obtaining
18 written permission from the Division of Parole and Probation.

19 11. EMPLOYMENT/PROGRAM: You shall seek and maintain legal employment, or
20 maintain a vocational or educational program. All terminations of employment or program
21 shall be immediately reported to the Division. During any period of time which you are not
22 employed or participating in an approved program full time, the Division of Parole and
23 Probation may require you to participate in up to 60 hours of community service work each
24 month.

25 12. FINANCIAL OBLIGATION: You shall pay fees, fines, and restitution on a
26 schedule approved by the Division of Parole and Probation. Any excess monies paid will be
27 applied to any other outstanding fees, fines, and/or restitution, even if it is discovered after
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1 your discharge.

2 SPECIAL CONDITIONS:

3 1. Submit to an impulse control evaluation and complete any recommended care plan,
4 treatment or counseling program based on that evaluation.

5 2. Disclose this conviction to present and potential employers and to the Nevada State
6 Board of Medical Examiners.

7 3. Comply with an imposed curfew by Parole and Probation as deemed necessary.

8 4. Have no contact WHATSOEVER with the victim, Norla Hatch, or her family.

9 5. Pay a \$5,000 fine in monthly payments as determined by Parole and Probation
10 based on income verified by the Division.

11 6. Submit to genetic markers testing and pay a \$150.00 fee to the Clerk of the Court.

12 DATED this 7 day of November, 2018.

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14 
15 DISTRICT JUDGE

16 ERIC JOHNSON

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22 US

23 jg/SVU