# BEFORE THE BOARD OF MEDICAL EXAMINERS OF THE STATE OF NEVADA

\* \* \* \* \*

In the Matter of Charges and Complaint

Against

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ANJMUN SHARMA, M.D.,

Respondent.

Case No. 20-42785-1

**FILED** 

OCT 2 3 2020

**NEVADA STATE BOARD OF** MEDICAL EXAMINERS

### **COMPLAINT**

The Investigative Committee<sup>1</sup> (IC) of the Nevada State Board of Medical Examiners (Board), by and through Sarah A. Bradley, Esq., Deputy Executive Director, and attorney for the IC, having a reasonable basis to believe that Anjmun Sharma, M.D. (Respondent) violated the provisions of Nevada Revised Statutes (NRS) Chapter 630 and Nevada Administrative Code (NAC) Chapter 630 (collectively, the Medical Practice Act), hereby issues its Complaint, stating the IC's charges and allegations as follows:

- Respondent is a medical doctor holding a license to practice medicine in the State of 1. Nevada (License No. 15536). Respondent was originally licensed by the Board on September 15, 2014.
- On September 25, 2018, Respondent provided a self-report to the Board indicating that 2. he was disciplined by the Colorado Medical Board.
- Respondent was licensed to practice medicine in the State of Colorado on 3. November 14, 2007 under license number DR-46192.
- On July 23, 2018, the Colorado Medical Board and Respondent entered into a Stipulation and Final Agency Order (Colorado Medical Board action).
  - This action became effective on August 23, 2018. 5.

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, M.D., Chairman, Ms. April Mastroluca, and Aury Nagy, M.D.

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- 6. Respondent admitted the following in the Colorado Medical Board action:
- On or about February 3, 2015, Respondent examined Patient A for a Division a. of Workers' Compensation Independent Medical Examination (IME).
- b. Respondent contacted Patient A by text and phone and by these means engaged in communications of a sexual nature with Patient A between February 3, 2015 to February 6, 2015.
- On or about February 7, 2015, Respondent filed his report regarding Patient A's IME.
  - Respondent had an obligation to be objective and impartial. d.
- The Division of Workers' Compensation (DWC) rules provide that a physician e. shall "[n]ot evaluate an IME claimant if the appearance of an an actual conflict of interest exists."
- f. The DWC rules state: "During the IME process, there shall be no communication allowed between the parties and the IME physician unless approved by the Director, or an administrative law judge."
- Contacting Patient A and engaging in communications of a sexual nature with g. Patient A between February 3, 2015 and February 6, 2015 breached appropriate professional boundaries under the circumstances and thus fell below the generally accepted standards of medical practice.
- Respondent failed to meet the generally accepted stgandards of medical h. practice, and thus engaged in unprofessional conduct by contacting Patient A after an IME and prior to submission of his report regarding that IME and having conversation and sending text messages of a sexual nature.
- Respondent admitted that these acts and/or omissions constitute unprofessional conduct as defined in Colorado law.
- Respondent stipulated that discipline against him was authorized pursuant to j. Colorado law.

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- 7. The Colorado Medical Board action imposed the following on Respondent:
- Respondent received a Letter of Admonition and was placed on probation for a. an indefinite period of time starting on August 23, 2018.
- During the probationary period the Colorado Medical Board action requires b. that Respondent receive such treatment as is determined to be appropriate by the Colorado Physician Health Program (CPHP).
- Respondent was ordered to comply with all instructions and recommendations from the CPHP.
- d. Part of the monitoring of Respondent by CPHP shall include ongoing examinations of Respondent, and Respondent shall ensure that CPHP submits quarterly reports to the Colorado Medical Board.
- After successful completion of monitoring and a report from the CPHP that e. Respondent is safe to practice without monitoring, Respondent may submit a written request for restoration of his license to unrestricted statuts.
- On August 10, 2018, the CPHP provived a letter to the Colorado Medical Board indicating that Respondent had completed monitoring appointments over the past several month's and that Respondent was safe to practice medicine with reasonable skill and safety to patients and that compulsory treatment monitoring was no longer necessary.
- 9. On August 27, 2018, Respondent requested that the Colorado Medical Board restore his license to an unrestricted status.
- 10. On October 18, 2018, at Respondent's request, the Colorado Medical Board granted Responnent an early termination of his Stipulation and Final Agency Order.
- Effective October 19, 2018, Respondent's license was restored to an unrestricted status 11. by the Colorado Medical Board.

### **COUNT I**

# NRS 630.301(3) (Disciplinary Action by Another State Medical Board)

12. All of the allegations in the above paragraphs are hereby incorporated as if fully set forth herein.

13. 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 Board 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 Board set a time and place for a formal hearing after holding an Early Case Conference pursuant to NRS 630.339(3);
- 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 take such other and further action as may be just and proper in these premises.

DATED this 23<sup>th</sup>day of October, 2020.

INVESTIGATIVE COMMITTEE OF THE NEVADA STATE BOARD OF MEDICAL EXAMINERS

Sarah A. Bradley, Esq., Deputy Executive Director, Attorney for the Investigative Committee

# OFFICE OF THE GENERAL COUNSEL Nevada State Board of Medical Examiners

### **VERIFICATION**

STATE OF NEVADA	)
COUNTY OF WASHOE	: ss. )

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 33 day of October, 2020.

INVESTIGATIVE COMMITTEE OF THE NEVADA STATE BOARD OF MEDICAL EXAMINERS

A: W. WEIL

M. Neil Duxbury, Chairman

### **CERTIFICATE OF SERVICE**

I hereby certify that I am employed by the Nevada State Board of Medical Examiners and that on the 23rd day of October, 2020, I served a file-stamped copy of the foregoing **COMPLAINT**, via U.S. Certified Mail to the following parties:

> Anjmun Sharma, M.D. 9820 Palisade Ridge Drive Colorado Springs, CO 80920 Certified Mail Receipt No.: 9171969009350241616937

DATED this <u>33r2</u> day of October, 2020.

Mercedes Fuentes, Legal Assistant Nevada State Board of Medical Examiners