

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 **JOHANNA SHOOP KOCH, M.D.,**
8 **Respondent.**

Case No. 21-9748-1

FILED

FEB 25 2021

**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 Donald K. White, Esq., Deputy General Counsel and attorney for the IC,
13 having a reasonable basis to believe that Johanna Shoop Koch, 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 relative to this Complaint a Medical Doctor holding an
18 active license to practice medicine in the State of Nevada (License No. 5548). Respondent was
19 initially licensed by the Board on July 29, 1987.

20 2. On September 15, 2016, an inspector with The Bureau of Health Care Quality and
21 Compliance (BHCQC), performed a survey of the medical facility licensed by them as Incline
22 Medical located at 889 Alder Ave., Suite 203, Incline Village, Nevada 89451. During that visit the
23 inspector learned that a single-use, auto-disabling fingerstick device was used on multiple patients
24 possibly exposing the patients to blood borne pathogens effecting an infection control breach.

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

COUNT I

Violation of the Standards of Practice– NRS 630.306(1)(b)(2)

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

4. NRS 630.306(1)(b)(2) provides that engaging in conduct which the Board has determined is a violation of the standards of practice established by regulation of the Board is grounds for initiating disciplinary actions against a licensee.

5. A “single-use medical device” is defined by NAC 630.230(2)(c) as “A medical device that is intended for one use or on a single patient during a single procedure and includes, without limitation, a blade, clip, catheter, implant, insufflator, lancet, needle, sleeve, syringe and single-dose vial.”

6. NAC 630.230(1)(i) specifically states a person who is licensed as a physician or physician assistant shall not Administer or use, or allow any person under his or her supervision, direction or control to administer or use, a single -use medical device:

1. For more than one procedure;
2. For more than one patient; or
3. In a manner inconsistent with the manufacturer’s instructions or directions included on or with the single-use medical device.

7. Respondent violated the standards of practice when a single-use auto disabling fingerstick device was used on multiple patients.

8. 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);

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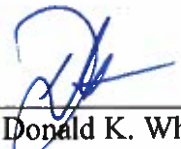
3. That the Board determine what sanctions to impose if it determines there has been a violation or violations of the Medical Practice Act committed by Respondent;

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 take such other and further action as may be just and proper in these premises.

DATED this 25th day of February, 2021.

INVESTIGATIVE COMMITTEE OF THE
NEVADA STATE BOARD OF MEDICAL EXAMINERS

By: 

Donald K. White, Esq., Deputy General Counsel
Attorney for the Investigative Committee

VERIFICATION

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

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

10 DATED this 25th day of February, 2021.

11 INVESTIGATIVE COMMITTEE OF THE
12 NEVADA STATE BOARD OF MEDICAL EXAMINERS

13 By: VM Muro
14 Victor M. Muro, M.D., Chairman
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