

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

3 * * * * *

4
5 **In the Matter of Charges and Complaint**

Case No. 21-13009-2

6 **Against:**

7 **JON LANE SIEMS, M.D.,**

8 **Respondent.**

FILED

MAY 24 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, J.D., Deputy General Counsel and attorney for the IC,
13 having a reasonable basis to believe that Jon Lane Siems, M.D. (Respondent) violated the provisions
14 of Nevada Revised Statutes (NRS) Chapter 630 and Nevada Administrative Code (NAC) Chapter
15 630 (collectively, the Medical Practice Act), hereby issues its Complaint, stating the IC's charges
16 and allegations as follows:

17 1. Respondent was at all times relevant to this Complaint a medical doctor holding an
18 active license to practice medicine in the State of Nevada (License No. 9250). Respondent was
19 originally licensed by the Board on December 20, 1999.

20 2. Patient A² was a thirty-one (31) year-old female at the time of the events at issue.

21 3. On December 18, 2015 Patient A presented to Respondent for determination if she
22 was a candidate for surgical refractive vision correction. There is indication of Patient A's ocular
23 history in the record.

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27 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 Mr. M. Neil Duxbury, Aury Nagy, M.D. and
Michael C. Edwards, M.D., FACS.

28 ² Patient A's true identity is not disclosed herein to protect his privacy, but is disclosed in the Patient
Designation served upon Respondent along with a copy of this Complaint.

1 4. Respondent planned to perform Photorefractive Keratectomy (PRK) on Patient A's
2 right eye and Lasik surgery on her left eye. The records do not indicate that Respondent discussed
3 this plan with Patient A.

4 5. On March 4, 2016, Patient A signed the written consent form and presented to
5 Respondent for the Lasik procedure, as the box next to Lasik was checked. Notably, the box next
6 to PRK was not checked. Respondent performed a Lasik procedure on Patient A's left eye as the
7 patient had consented to, but performed a PRK on her right eye without Patient A's permission,
8 knowledge or consent.

9 6. On March 5, 2016, Patient A visited Respondent for a post-op visit, which recorded
10 uncorrected vision and a fairly large corneal epithelial defect in her right eye. Clinical notes for
11 this visit were mostly illegible.

12 7. Patient A visited Respondent for follow-up appointments on March 11, 2016,
13 March 18, 2016, March 29, 2016, and April 1, 2016. Patient A complained of blurred vision in
14 her right eye to Respondent. During these visits there was no discussion with Patient A regarding
15 her blurred vision nor was there discussion of possible treatments or prognosis on her. Medical
16 records for these visits show no description of clinical findings, and in many instances, the records
17 were illegible.

18 8. Patient A had no improvement in her right eye. She was to return to Respondent in
19 two (2) weeks from her April 1, 2016 appointment, however sought another provider for
20 treatment.

21 **COUNT I**

22 **NRS 630.3062(1)(a) - Failure to Maintain Proper Medical Records**

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

25 10. NRS 630.3062(1)(a) provides that the "failure to maintain timely, legible, accurate
26 and complete medical records relating to the diagnosis, treatment and care of a patient" constitute
27 grounds for initiating discipline against a licensee.

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11. As demonstrated by, but not limited to, the above-outlined facts, Respondent failed to maintain legible and complete medical records relating to the diagnosis, treatment and care of Patient A.

12. 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 award fees and costs for the investigation and prosecution of this case as outlined in NRS 622.400;

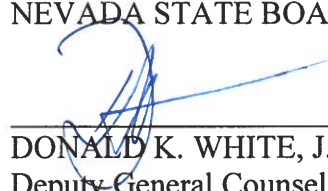
5. That the Board make, issue and serve on Respondent its findings of fact, conclusions of law and order, in writing, that includes the sanctions imposed; and

6. That the Board take such other and further action as may be just and proper in these premises.

DATED this 24th day of May, 2021.

INVESTIGATIVE COMMITTEE OF THE
NEVADA STATE BOARD OF MEDICAL EXAMINERS

By:



DONALD K. WHITE, J.D.
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Attorney for the Investigative Committee

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VERIFICATION

STATE OF NEVADA)
 : ss.
COUNTY OF WASHOE)

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 24th day of May, 2021.

INVESTIGATIVE COMMITTEE OF THE
NEVADA STATE BOARD OF MEDICAL EXAMINERS

By: M. Neil Duxbury
M. NEIL DUXBURY
Chairman for the Investigative Committee