

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 Complaint**

Case No. 21-32089-1

6 **Against:**

7 **RAFAEL OKAMOTO, M.D.,**

8 **Respondent.**

FILED

MAR 11 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”) hereby issues this formal Complaint against Rafael Okamoto, M.D. (hereinafter
13 referred to as Respondent), a licensed physician in Nevada. After investigating this matter, the IC
14 has a reasonable basis to believe that Respondent has violated provisions of Nevada Revised
15 Statutes (NRS) Chapter 630 and Nevada Administrative Code (NAC) Chapter 630 (collectively,
16 the Medical Practice Act).

17 The IC alleges the following facts:

18 1. Respondent is currently, and was at all times relevant to this Complaint, licensed as
19 a medical doctor in active status (License No. 12174) with the Board. Respondent was issued his
20 license from the Board on January 31, 2007, pursuant to the provisions of NRS Chapter 630.

21 2. On or about April 20, 2013, Respondent was arrested for driving under the
22 influence of drugs or alcohol (DUI).

23 3. Respondent renewed his medical license on or about June 26, 2015.

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27 ¹ The Investigative Committee of the Nevada State Board of Medical Examiners, at the time the filing of this
28 Complaint was approved, was composed of Rachakonda D. Prabhu, M.D., Ms. Sandy Peltyn, and Victor M. Muro,
M.D., Chairman.

COUNT I

NRS 630.304(1) - Misrepresentation in Obtaining or Renewing License

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

5. NRS 630.304(1) provides that obtaining, maintaining or renewing or attempting to obtain, maintain or renew a license to practice medicine by bribery, fraud or misrepresentation or by any false, misleading, inaccurate or incomplete statement constitutes grounds for initiating disciplinary action.

6. Respondent failed to disclose his 2013 DUI arrest on his 2015 renewal application when he answered “N” or “no” to the question: “[h]ave you been arrested, investigated for, charged with, convicted of, or pled guilty or nolo contendere to an offense or violation of any federal (including the Uniform Code of Military Justice), state or local law, or the laws of any foreign country, which is a misdemeanor, gross misdemeanor, felony, violation of the Uniform Code of Military Justice, or synonymous thereto in a foreign jurisdiction, excluding any minor traffic offense (driving or being in control of a motor vehicle while under the influence of a chemical substance, including alcohol, is not considered a minor traffic offense), or for any offense which is related to the manufacture, distribution, prescribing, or dispensing of controlled substances? **Please note that you MUST disclose ANY investigation or arrest, including those where the final disposition was dismissal, or expungement.**”

7. 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 Nevada State Board of Medical Examiners 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 Nevada State Board of Medical Examiners 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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1 3. That the Nevada State Board of Medical Examiners determine what sanctions to
2 impose if it determines there has been a violation or violations of the Medical Practice Act
3 committed by Respondent;


4 4. That the Nevada State Board of Medical Examiners award fees and costs as
5 described in NRS 622.400;

6 5. That the Nevada State Board of Medical Examiners make, issue and serve on
7 Respondent its findings of fact, conclusions of law and order, in writing, that includes the
8 sanctions imposed; and

9 6. That the Nevada State Board of Medical Examiners take such other and further
10 action as may be just and proper in these premises.

11 DATED this 11th day of March, 2021.

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

14 By: 
15 Donald K. White, Esq., Deputy General Counsel
16 Attorney for the Investigative Committee

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VERIFICATION

STATE OF NEVADA)
 : ss.
COUNTY OF CLARK)

Victor M. Muro, M.D., 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 11th day of March, 2021.

INVESTIGATIVE COMMITTEE OF THE NEVADA
STATE BOARD OF MEDICAL EXAMINERS

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Victor M. Muro, M.D., Chairman