

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. 21-130-1

6 **Against:**

7 **ROBERT JOSEPH WEBB, PA,**

8 **Respondent.**

FILED

AUG 18 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 Aaron B. Fricke, J.D., General Counsel and attorney for the IC, having a
13 reasonable basis to believe that Robert Joseph Webb, PA, (Respondent) violated the provisions of
14 Nevada Revised Statutes (NRS) Chapter 630 and Nevada Administrative Code (NAC) Chapter 630
15 (collectively, the Medical Practice Act), hereby issues its Complaint, stating the IC's charges and
16 allegations as follows:

17 1. Respondent was at all times relative to this Complaint a physician assistant holding
18 an active license to practice medicine in the State of Nevada (License No. 434). Respondent was
19 originally licensed by the Board on September 19, 1987.

20 2. At all times relevant to this Complaint, Respondent owned, operated and/or served
21 as the medical director of CIMA Medical Center, located at 1321 S Rainbow Blvd., Suite 101, Las
22 Vegas, NV 89146 (CIMA Rainbow).

23 3. At all times relevant to this Complaint, Respondent owned, operated and/or served
24 as the medical director of Modern Wellness Clinic, located at 1321 S Rainbow Blvd., Suite 280,
25 Las Vegas, NV 89146 (MWC).

26 ///

27
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 Bret W. Frey, M.D., Chair, Aury Nagy, M.D.,
and Col. Eric D. Wade, USAF (Ret.).

1 4. At all times relevant to this Complaint, Respondent owned, operated and/or served
2 as the medical director of CIMA Medical Center, located at 2354 E. Bonanza Road, Las Vegas,
3 NV 89101 (CIMA Bonanza).

4 5. Respondent's son, Robert Webb, Jr., was the operations and marketing manager of
5 MWC. Robert Webb, Jr., is not a licensed medical practitioner as defined by NRS 639.0125.

6 6. Respondent permitted Robert Webb, Jr., and/or other unauthorized persons to act
7 under his authority to operate CIMA Bonanza, CIMA Rainbow and MWC to purchase, access,
8 store, possess, administer, furnish, prescribe and/or dispense controlled substances and/or
9 dangerous drugs to patients with whom Respondent had not established a *bona fide* therapeutic
10 relationship, before Respondent had examined the patients and without his direct supervision, and
11 for whom Respondent had neither diagnosed or determined that a controlled substance or
12 dangerous drug was medically necessary.

13 7. Respondent unlawfully issued one hundred eighty-four prescriptions for controlled
14 substances and three hundred ninety-four prescriptions for dangerous drugs while traveling
15 outside of the U.S. from July 8-14, 2017, July 21-August 2, 2017, and March 1-6, 2018, by pre-
16 signing prescriptions, providing his log-on information to e-scribing systems to unauthorized
17 persons, and/or failing to secure his secondary authenticator for e-scribing controlled substances.

18 8. Respondent possessed pre-drawn, unlabeled syringes containing dangerous drugs
19 intended for micronutrient infusion therapies.

20 9. Respondent failed to ensure that dangerous drugs stored at CIMA Bonanza, CIMA
21 Rainbow and MWC were kept in a locked storage area with access restricted to authorized
22 persons, and that Respondent failed to properly store, segregate and/or dispose of adulterated
23 and/or expired drugs.

24 **COUNT I**

25 **NRS 630.306(1)(b)(3) – Engaging in Conduct that Violates Pharmacy Board Regulations**

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

28 ///

OFFICE OF THE GENERAL COUNSEL

Nevada State Board of Medical Examiners

9600 Gateway Drive

Reno, Nevada 89521

(775) 688-2559

1 11. NRS 630.306(1)(b)(3) provides that engaging in conduct that violates a regulation
2 adopted by the Pharmacy Board is grounds for initiating disciplinary action.

3 12. All controlled substances and dangerous drugs in the possession of a physician
4 assistant must be kept in a locked storage area with access restricted to authorized persons.
5 *See* 21 CFR § 1301.71; NAC 639.285.

6 13. Performing or in any way being a party to any fraudulent or deceitful practice or
7 transaction constitutes unprofessional conduct or conduct contrary to the public interest pursuant
8 to NAC 639.945(1)(h) and is grounds for suspension or revocation of any license or registration
9 issued by the Board. *See* NRS 639.210(4).

10 14. Performing any duties as the holder of a controlled substance registration or a
11 dispensing practitioner registration in an incompetent, unskillful or negligent manner constitutes
12 unprofessional conduct or conduct contrary to the public interest pursuant to NAC 639.945(1)(i)
13 and is grounds for suspension or revocation of any license or registration issued by the Board.
14 *See* NRS 639.210(4).

15 15. Aiding or abetting a person not licensed to practice pharmacy in the State of
16 Nevada constitutes unprofessional conduct or conduct contrary to the public interest pursuant to
17 NAC 639.945(1)(j) and is grounds for suspension or revocation of any license or registration
18 issued by the Board. *See* NRS 639.210(4).

19 16. Including but not limited to the conduct described herein, Respondent engaged in
20 conduct that violates regulations adopted by the Pharmacy Board, specifically including but not
21 limited to NAC 639.285, and NAC 639.945(1)(h)-(j).

22 17. By reason of the foregoing, Respondent is subject to discipline by the Nevada State
23 Board of Medical Examiners as provided in NRS 630.352.

24 **WHEREFORE**, the Investigative Committee prays:

25 1. That the Board give Respondent notice of the charges herein against him and give
26 him notice that he may file an answer to the Complaint herein as set forth in
27 NRS 630.339(2) within twenty (20) days of service of the Complaint;

28 ///

- 1 2. That the Board set a time and place for a formal hearing after holding an Early
- 2 Case Conference pursuant to NRS 630.339(3);
- 3 3. That the Board determine what sanctions to impose if it determines there has been
- 4 a violation or violations of the Medical Practice Act committed by Respondent;
- 5 4. That the Board award fees and costs for the investigation and prosecution of this
- 6 case as outlined in NRS 622.400;
- 7 5. That the Board make, issue and serve on Respondent its findings of fact,
- 8 conclusions of law and order, in writing, that includes the sanctions imposed; and
- 9 6. That the Board take such other and further action as may be just and proper in these
- 10 premises.

11 DATED this 18th day of August, 2021.

INVESTIGATIVE COMMITTEE OF THE
NEVADA STATE BOARD OF MEDICAL EXAMINERS

By: 

AARON B. FRICKE, J.D.
General Counsel
9600 Gateway Drive
Reno, NV 89521
Tel: (775) 688-2559
Email: africke@medboard.nv.gov
Attorney for the Investigative Committee

12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

1 **VERIFICATION**

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

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

11 DATED this 18 day of August, 2021.

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

14 By:



15 BRET W. FREY, M.D.

16 *Chairman of the Investigative Committee*

17 OFFICE OF THE GENERAL COUNSEL
18 Nevada State Board of Medical Examiners
19 9600 Gateway Drive
20 Reno, Nevada 89521
21 (775) 688-2559
22
23
24
25
26
27
28