BEFORE THE BOARD OF MEDICAL EXAMINERS OF THE STATE OF NEVADA

* * * * *

In the Matter of Charges and Complaint

Against:

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ROGER ESTEVEZ, M.D.,

Respondent.

Case No. 21-34603-1

FILED

AUG - 5 2021

NEVADA STATE BOARD OF MEDICAL EXAMINERS

COMPLAINT

The Investigative Committee¹ (IC) of the Nevada State Board of Medical Examiners (Board), by and through BRANDEE MOONEYHAN, J.D., Deputy General Counsel and attorney for the IC, having a reasonable basis to believe that ROGER ESTEVEZ, 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 was at all times relative to this Complaint a medical doctor holding an 1. active license to practice medicine in the State of Nevada (License No. 13199). Respondent was originally licensed by the Board on July 13, 2009.
- At all times relevant to this Complaint, Respondent held either an active or expired 2. Nevada Controlled Substance Registration, Certificate No. CS18169, issued by the Nevada State Board of Pharmacy (Pharmacy Board).
- In 2018, Respondent failed to timely renew his Controlled Substance Registration, 3. and it therefore expired on October 31, 2018.
- Respondent's Controlled Substance Registration was reinstated by the Pharmacy 4. Board on April 11, 2019.

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.).

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- Between November 1, 2018, and March 28, 2019, while his Controlled Substance 5. Registration was expired, Respondent wrote one hundred eighty-nine (189) prescriptions for controlled substances.
- On July 18, 2019, the Pharmacy Board found that by writing one hundred eighty-6. nine (189) prescriptions for controlled substances between November 1, 2018, and March 28, 2019, without a valid Controlled Substance Registration, Respondent violated, attempted to violate, assisted or abetted in the violation of, or conspired to violate NRS 453.321(1)(a), NRS 639.100(1), NRS 639.2813(1) and/or NRS 453.226(1), 21 CFR § 1306.03.

COUNT I

NRS 630.306(1)(b)(3) - Violation of Statutes and Regulations of the **Nevada State Board of Pharmacy**

- All of the preceeding allegations are hereby incorporated by reference as though 7. fully set forth herein.
- 8. Respondent is a practitioner as defined by NRS 639.0125(1), as a physician who holds a license to practice medicine in the State of Nevada.
- NRS 630.306(1)(b)(3) provides that engaging in conduct that violates a provision 9. of chapter 639 of NRS that is applicable to a licensee who is a practitioner, as defined in NRS 639.0125, is grounds for initiating discipline against a licensee.
- NRS 639.100(1) prohibits the prescription of controlled substances except as 10. authorized by law.
- NRS 639.2813(1) prohibits a person from falsely representing himself as a 11. practitioner entitled to write prescriptions in this state.
- Respondent violated NRS 639.100(1) and NRS 639.2813(1) by writing one 12. hundred eighty-nine (189) prescriptions for controlled substances when he did not have a current Controlled Substance Registration.
- By reason of the foregoing, Respondent is subject to discipline by the Board as 13. provided in NRS 630.352.

(775) 688-2559

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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;
- 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);
- That the Board determine what sanctions to impose if it determines there has been 3. a violation or violations of the Medical Practice Act committed by Respondent;
- That the Board award fees and costs for the investigation and prosecution of this 4. case as outlined in NRS 622.400;
- That the Board make, issue and serve on Respondent its findings of fact, 5. conclusions of law and order, in writing, that includes the sanctions imposed; and
- That the Board take such other and further action as may be just and proper in these 6. premises.

DATED this 54hday of August, 2021.

INVESTIGATIVE COMMITTEE OF THE NEVADA STATE BOARD OF MEDICAL EXAMINERS

By:

Brandee Mooneyhan, J.D.

Deputy General Counsel

9600 Gateway Drive

Reno, NV 89521

Tel: (775) 688-2559

Email: mooneyhanb@medboard.nv.gov Attorney for the Investigative Committee

OFFICE OF THE GENERAL COUNSEL Nevada State Board of Medical Examiners

Reno, Nevada 89521

(775) 688-2559

VERIFICATION

STATE OF NEVADA)
	: ss
COUNTY OF WASHOE)

Bret W. Frey, 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 5th day of August, 2021.

INVESTIGATIVE COMMITTEE OF THE NEVADA STATE BOARD OF MEDICAL EXAMINERS

By:

BRET W. FREY, M.D.

Chairman for the Investigative Committee

OFFICE OF THE GENERAL COUNSEL Nevada State Board of Medical Examiners

CERTIFICATE OF SERVICE

I hereby certify that I am employed by the Nevada State Board of Medical Examiners and that on the 5th day of August, 2021, I served a file-stamped copy of the foregoing **COMPLAINT**, via U.S. Certified Mail to the following parties:

ROGER ESTEVEZ, M.D. 4020 Peco McLeod Rd. Las Vegas, NV 89121 Certified Mail Receipt No.:

9171 9690 0935 0255 6179 75

DATED this ______day of August, 2021.

MERCEDES FUENTES

Legal Assistant

Nevada State Board of Medical Examiners