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

* * * * *

In the Matter of Charges and Complaint

Case No. 21-4518-1

Against:

FILED

THEODORE MELVIN THORP, M.D.

SEP 28 2021

Respondent.

NEVADA STATE BOARD OF
MEDICAL EXAMINERS
By: 

COMPLAINT

The Investigative Committee¹ (IC) of the Nevada State Board of Medical Examiners (Board), by and through Aaron Bart Fricke, J.D., General Counsel and attorney for the IC, having a reasonable basis to believe that Theodore Melvin Thorp, 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:

1. Respondent was at all times relative to this Complaint a medical doctor holding an active license to practice medicine in the State of Nevada (License No. 2979). Respondent was originally licensed by the Board on July 1, 1975.

2. At all times relevant to this Complaint, Respondent was the supervising physician responsible for the medical activities of Robert Joseph Webb, PA, License No. 434 (Webb), a physician assistant licensed by the Board, pursuant to a formal notice of supervision provided to the Board on or about August 27, 2012, and filed in accord with NAC 630.360(4), wherein Respondent certified that he had read and was aware of all provisions of NRS Chapter 630 and NAC Chapter 630 concerning his duties and professional responsibilities as a physician

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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 Wayne Hardwick, M.D., Aury Nagy, M.D. and Mr. M. Neil Duxbury.

1 supervising Webb. Respondent's supervision of Webb terminated August 16, 2019, after the
2 times relevant to this Complaint.

3 3. Pursuant to NAC 630.370, at all times relevant to this Complaint, as Webb's
4 supervising physician, Respondent was responsible for all the medical activities of Webb.

5 4. Pursuant to NAC 630.375, at all times relevant to this Complaint, Webb was
6 considered to be and was deemed the agent of Respondent in the performance of all medical
7 activities.

8 5. At all times relevant to this Complaint, Webb owned, operated and/or served as the
9 medical director of CIMA Medical Center, located at 1321 S Rainbow Blvd., Suite 101,
10 Las Vegas, NV 89146 (CIMA Rainbow).

11 6. At all times relevant to this Complaint, Webb owned, operated and/or served as the
12 medical director of Modern Wellness Clinic, located at 1321 S Rainbow Blvd., Suite 280,
13 Las Vegas, NV 89146 (MWC).

14 7. At all times relevant to this Complaint, Webb owned, operated and/or served as the
15 medical director of CIMA Medical Center, located at 2354 E. Bonanza Road, Las Vegas,
16 NV 89101 (CIMA Bonanza).

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

19 9. Webb permitted Robert Webb, Jr., and/or other unauthorized persons, to act under
20 his authority to operate CIMA Bonanza, CIMA Rainbow and MWC to purchase, access, store,
21 possess, administer, furnish, prescribe and/or dispense controlled substances and/or dangerous
22 drugs to patients with whom Webb had not established a *bona fide* therapeutic relationship, before
23 Webb had examined the patients and without his direct supervision, and for whom Webb had
24 neither diagnosed nor determined that a controlled substance or dangerous drug was medically
25 necessary.

26 10. Webb unlawfully issued one hundred eighty-four (184) prescriptions for controlled
27 substances and three hundred ninety-four (394) prescriptions for dangerous drugs while traveling
28 outside of the U.S. from July 8-14, 2017, July 21-August 2, 2017, and March 1-6, 2018, by

1 pre-signing prescriptions, providing his log-on information to e-scribing systems to unauthorized
2 persons, and/or failing to secure his secondary authenticator for e-scribing controlled substances.

3 11. Webb possessed pre-drawn, unlabeled syringes containing dangerous drugs
4 intended for micronutrient infusion therapies.

5 12. Webb failed to ensure that dangerous drugs stored at CIMA Bonanza, CIMA
6 Rainbow and MWC were kept in a locked storage area with access restricted to authorized
7 persons, and failed to properly store, segregate and/or dispose of adulterated and/or expired drugs.

8 13. Pursuant to the Board's Order of September 10, 2021, in Case No. 21-130-1, Webb
9 admitted, and the Board formally found, that Webb engaged in conduct that violated statutes and
10 regulations of the Nevada State Board of Pharmacy (Pharmacy Board) as alleged in the complaint
11 filed therein, for which misconduct Webb was formally disciplined by the Board.

12 **COUNT I**

13 **NRS 630.306(1)(b)(3) – Engaging in Conduct that Violates Statutes and Regulations of the**
14 **Pharmacy Board**

15 14. All of the allegations in the above paragraphs are hereby incorporated as if fully set
16 forth herein.

17 15. NRS 630.306(1)(b)(3) provides that engaging in conduct that violates a provision
18 of chapter 639 of NRS, or a regulation adopted by the Pharmacy Board pursuant thereto, is
19 grounds for initiating disciplinary action.

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

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

27 18. Performing any duties as the holder of a controlled substance registration or a
28 dispensing practitioner registration in an incompetent, unskillful or negligent manner constitutes

1 unprofessional conduct or conduct contrary to the public interest pursuant to NAC 639.945(1)(i)
2 and is grounds for suspension or revocation of any license or registration issued by the Pharmacy
3 Board. *See* NRS 639.210(4).

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

8 20. Including but not limited to the conduct described herein, Webb engaged in
9 conduct that violates statutes and regulations adopted by the Pharmacy Board, specifically
10 including but not limited to NAC 639.285, and NAC 639.945(1)(h)-(j).

11 21. Pursuant to NAC 630.370 and 630.375, as Webb's supervising physician,
12 Respondent is professionally responsible for his agent, Webb, violating statutes and regulations
13 adopted by the Pharmacy Board, specifically including but not limited to NAC 639.285, and
14 NAC 639.945(1)(h)-(j).

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

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

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

21 2. That the Board set a time and place for a formal hearing after holding an Early
22 Case Conference pursuant to NRS 630.339(3);

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

25 4. That the Board award fees and costs for the investigation and prosecution of this
26 case as outlined in NRS 622.400;

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

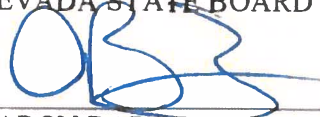
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6. That the Board take such other and further action as may be just and proper in these premises.

DATED this 28th day of September, 2021.

INVESTIGATIVE COMMITTEE OF THE
NEVADA STATE BOARD OF MEDICAL EXAMINERS

By:



AARON BART 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

CERTIFICATE OF SERVICE

I hereby certify that I am employed by the Nevada State Board of Medical Examiners and that on the 28th day of September, 2021, I served a file-stamped copy of the foregoing **COMPLAINT**, via U.S. Certified Mail to the following parties:

Theodore Melvin Thorp, M.D.
Family Practice & Injury Recovery
2801 W. Charleston, Ste. 200
Las Vegas, NV 89102
Certified Mail Receipt No.: 9171 9690 0935 0252 1570 30

DATED this 28th day of September, 2021.


MERCEDES FUENTES
Legal Assistant
Nevada State Board of Medical Examiners

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