

BEFORE THE BOARD OF MEDICAL EXAMINERS  
OF THE STATE OF NEVADA

\* \* \* \* \*

In the Matter of Charges and Complaint

Case No. 21-12776-1

Against:

TRI MINH TRUONG, M.D.,

Respondent.

FILED

SEP 28 2021

NEVADA STATE BOARD OF  
MEDICAL EXAMINERS

By: 

COMPLAINT

The Investigative Committee<sup>1</sup> (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 Tri Minh Truong, 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. 9170). Respondent was originally licensed by the Board on September 14, 1999

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 May 4, 2007, 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 supervising Webb.

<sup>1</sup> 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           3. Pursuant to NAC 630.370, at all times relevant to this Complaint, as Webb's  
2 supervising physician, Respondent is responsible for all the medical activities of Webb.

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

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

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

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

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

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

24           10. Webb unlawfully issued one hundred eighty-four (184) prescriptions for controlled  
25 substances and three hundred ninety-four (394) prescriptions for dangerous drugs while traveling  
26 outside of the U.S. from July 8-14, 2017, July 21-August 2, 2017, and March 1-6, 2018, by  
27 pre-signing prescriptions, providing his log-on information to e-scribing systems to unauthorized  
28 persons, and/or failing to secure his secondary authenticator for e-scribing controlled substances.

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

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

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

10 **COUNT I**

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

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

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

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

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

25 18. Performing any duties as the holder of a controlled substance registration or a  
26 dispensing practitioner registration in an incompetent, unskillful or negligent manner constitutes  
27 unprofessional conduct or conduct contrary to the public interest pursuant to NAC 639.945(1)(i)

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1 and is grounds for suspension or revocation of any license or registration issued by the Pharmacy  
2 Board. *See* NRS 639.210(4).

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

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

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

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

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

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

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

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

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

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

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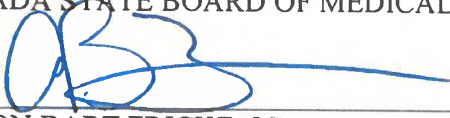
OFFICE OF THE GENERAL COUNSEL  
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(775) 688-2559

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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 25<sup>th</sup> day of September, 2021.

INVESTIGATIVE COMMITTEE OF THE  
NEVADA STATE BOARD OF MEDICAL EXAMINERS

By: 

AARON BART FRICKE, J.D.  
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*Attorney for the Investigative Committee*

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**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 28<sup>th</sup> day of September, 2021.

INVESTIGATIVE COMMITTEE OF THE  
NEVADA STATE BOARD OF MEDICAL EXAMINERS

By:   
\_\_\_\_\_  
BRET W. FREY, M.D.  
*Chairman of 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:

TRI MINH TRUONG, M.D.  
10624 S. Eastern Ave., Ste. A634  
Henderson, NV 89052  
*Certified Mail Receipt No.:* 9171 9690 0935 0252 1570 23

DATED this 28th day of September, 2021.

  
MERCEDES FUENTES  
Legal Assistant  
Nevada State Board of Medical Examiners

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