

OFFICE OF THE GENERAL COUNSEL
Nevada State Board of Medical Examiners
9600 Gateway Drive
Reno, Nevada 89521
(775) 688-2559

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. 21-23256-1

6 **Against:**

FILED

7 **VIVIAN ANN HENDRIX, CRT**

OCT - 8 2021

8 **Respondent.**

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

17 1. Respondent was at all times relative to this Complaint a certified respiratory
18 therapist holding an active license to practice respiratory therapy in the State of Nevada
19 (License No. RC165). Respondent was originally licensed by the Board on November 29, 2001.

20 **COUNT I**

21 **NRS 630.306(1)(b)(1) – Deceptive Conduct**

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

24 3. Pursuant to NAC 630.540, a practitioner of respiratory care is subject to discipline
25 or denial of licensure by the Board if, after notice and hearing in accordance with this chapter, the
26 Board finds that the practitioner of respiratory care violated, among other provisions, any
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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 Rachakonda D. Prabhu, M.D., Ms. Sandy Peltyn, and Victor M. Muro, M.D.

1 provision that would subject a practitioner of medicine to discipline pursuant to NRS 630.301 to
2 630.3065, inclusive, or NAC 630.230. *See* NAC 630.540(23).

3 4. Pursuant to NRS 630.306(1)(b)(1), engaging in conduct, which is intended to
4 deceive, is grounds for initiating disciplinary action or denying licensure.

5 5. On October 3, 2015, Respondent was employed at University Medical Center at
6 1800 W Charleston Blvd, Las Vegas, NV 89102 (UMC) as a respiratory therapist. She clocked-in
7 for work that day at UMC at 5:26 a.m.

8 6. Respondent then left UMC, and crossed Charleston Boulevard and entered
9 St. Joseph Transitional Rehabilitation Center at 2035 W Charleston Blvd, Las Vegas, NV 89102
10 (SJTRC), where she was also employed as a respiratory therapist. Respondent clocked-in for
11 work at SJTRC at 6:02 a.m. that same day.

12 7. Respondent then returned to UMC and clocked-out at 12:02 p.m. the same day.

13 8. Respondent then clocked-in at UMC at 12:32 p.m. the same day.

14 9. Respondent then returned to SJTRC and clocked-out at 1:00 p.m. the same day.

15 10. Respondent then clocked-out at SJTRC at 2:45 p.m. the same day.

16 11. Respondent then returned to UMC and clocked-out at 5:54 p.m. the same day.

17 12. Again, on November 14, 2015, Respondent was employed at UMC as a respiratory
18 therapist. She clocked-in for work that day at UMC at 5:26 a.m.

19 13. Respondent then left UMC, and again crossed Charleston Boulevard and entered
20 SJTRC, where she was also employed as a respiratory therapist. Respondent clocked-in for work
21 at SJTRC at 5:58 a.m. that same day.

22 14. Respondent then clocked-out at SJTRC at 1:31 p.m. the same day.

23 15. Respondent then clocked-in at SJTRC at 2:01 p.m. the same day.

24 16. Respondent then clocked-out at SJTRC at 2:23 p.m. the same day.

25 17. Respondent then returned to UMC and clocked-out at 3:00 p.m. the same day.

26 18. As demonstrated by, but not limited to, the above-outlined facts, Respondent
27 engaged in conduct intended to deceive both her employers, UMC and SJTRC, respectively, on
28 both October 3, 2015, and on November 14, 2015, by clocking-in to work and claiming that she

1 was working exclusively for one or the other of them, as required by both UMC and SJTRC,
2 respectively, when she was, in fact, working for both employers simultaneously.

3 19. Respondent engaged in conduct intended to deceive the Board and its investigators
4 when she denied engaging in the deceptive conduct alleged in the preceding paragraphs
5 5 through 18.

6 20. By reason of the foregoing, Respondent is subject to discipline by the Board as
7 provided in NRS 630.352.

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

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

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

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

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


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

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

22 DATED this 8th day of October, 2021.

23 INVESTIGATIVE COMMITTEE OF THE
24 NEVADA STATE BOARD OF MEDICAL EXAMINERS

25 By:

26 
AARON BART FRICKE, J.D.
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Attorney for the Investigative Committee

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CERTIFICATE OF SERVICE

I hereby certify that I am employed by the Nevada State Board of Medical Examiners and that on the 8th day of October, 2021, I served a file-stamped copy of the foregoing COMPLAINT, via U.S. Certified Mail to the following parties:

VIVIAN ANN HENDRIX, CRT
5026 Great Abaco
North Las Vegas, NV 89031

Certified Tracking No.: 9171 9690 0935 0252 1574 74

DATED this 8th day of October, 2021.



MEG BYRD, Legal Assistant
Nevada State Board of Medical Examiners