

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

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4
5 **In the Matter of Charges and Complaint**

Case No. 21-51633-1

6 **Against:**

7 **TAMMY LYNN HANKINS, PA-C,**

8 **Respondent.**

FILED

JUN 25 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 Bart Fricke, J.D., General Counsel and attorney for the IC, having a
13 reasonable basis to believe that Tammy Lynn Hankins, PA-C, (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 **I. RESPONDENT'S HISTORY OF CRIMINAL AND UNPROFESSIONAL CONDUCT**

18 1. On or about March 1, 2012, in the Superior Court of the State of Arizona, in and for
19 the County of Mohave (Arizona Court), in Case No. CR-2012-00287, a Grand Jury indicted
20 Respondent on five (5) criminal counts of violations of Arizona law, including COUNT 1:
21 FRAUDULENT SCHEMES AND ARTIFICES, CLASS 2 FELONY; COUNT 2: OBTAIN OR
22 PROCURE THE ADMINISTRATION OF A NARCOTIC DRUG BY FRAUD, CLASS 3
23 FELONY; COUNT 3: OBTAINING A DANGEROUS DRUG BY FRAUD, CLASS 3 FELONY;
24 COUNT 4: ATTEMPTED OBTAINING A DANGEROUS DRUG BY FRAUD, CLASS 4
25 FELONY; COUNT 5: ATTEMPTED OBTAINING A DANGEROUS DRUG BY FRAUD,
26 CLASS 4 FELONY.

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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 Victor M. Muro, M.D., Chair,
Ms. April Mastroluca and Weldon Havins, M.D., J.D.

Arizona Case History

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2 2. On or about November 28, 2012, the Arizona Regulatory Board of Physician
3 Assistants (“Arizona Board”), in Case No. PA-11-0127A, found Respondent, who had been the
4 holder of a license to practice medicine as a physician assistant in the State of Arizona
5 (License No. 2228), guilty of unprofessional conduct. Specifically, the Arizona Board had received
6 information from a pharmacist alleging that Respondent had been recklessly writing prescriptions
7 without supervision, writing abnormally large quantities of controlled drugs, and writing outside her
8 scope of practice. Further, Respondent’s supervising physician (SP) had terminated the supervision
9 relationship with Respondent on September 13, 2011, yet Respondent proceeded to perform
10 healthcare tasks without an SP’s direction or supervision from September 13, 2011, through
11 October 25, 2011, according to the date of the last prescribed controlled substance on the Pharmacy
12 Monitoring Profile (which is a similar database in the State of Arizona to the Nevada Prescription
13 Monitoring Program). On October 26, 2011, Respondent wrote two (2) prescriptions for controlled
14 substances on a prescription pad that contained her SP’s, name and DEA number. The prescriptions
15 were issued after the SP terminated his supervisory relationship with Respondent. Arizona Board
16 staff determined that the prescription pads did not contain Respondent’s current SP information. In
17 addition, Respondent failed to timely appear for an investigational interview with Arizona Board
18 staff to address the quality of care issues in this case on four (4) occasions. Arizona Board staff
19 found that Respondent failed to cooperate with the Arizona Board’s investigation. A Medical
20 Consultant (MC) reviewed the medical records of certain patients treated by Respondent to
21 determine the quality of care provided by Respondent.

Patient JC

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23 3. Respondent treated Patient JC for weight loss and removal of skin lesions, and
24 Respondent started the patient on Levoxyl and Prozac. Patient JC continued to be seen by
25 Respondent for chronic pain, and received prescriptions for Phentermine, Vicodin, Valium, Xanax
26 and Oxycodone during the course of treatment with Respondent. Patient JC’s prescriptions were
27 reportedly stolen in March 2011. Patient JC later underwent Fraxel treatment along with
28 Mesotherapy that reportedly required continuation of her pain medications. By October 2011,

1 Patient JC had not established herself with a pain specialist and again claimed that her prescriptions
2 were stolen.

3 Patient MW

4 4. Another patient, Patient MW, received medical care in Respondent's office for a
5 Fraxel treatment on August 23, 2011. There is no record of prescriptions written for this patient in
6 the chart provided. Lastly, a police report made by Respondent's former SP alleged that Respondent
7 had written thirty-nine (39) prescriptions for Patient MW between June and September of 2011,
8 including Oxycodone, Hydrocodone, Valium, Phentermine, Xanax, and Endocet. In particular,
9 Respondent wrote a prescription for Oxycodone 5 mg, 100 ct., and Diazepam 10 mg, 100 ct., with
10 five refills on June 20, 2011. The record of all pharmacy prescriptions written by Respondent from
11 November 2010 to November 2011 includes over 900 prescriptions, approximately 99% of which
12 written by Respondent during this time period were for Phentermine, Diazepam, Alprazolam,
13 Hydrocodone, Oxycodone, Endocet and Carisoprodol. Of particular concern to the care of
14 Patient MW were prescriptions for Hydrocodone-acetaminophen 7.5-750 mg, 100 ct., with five (5)
15 refills, and prescriptions for Oxycodone-acetaminophen 10-325 mg, 100 ct., Alprazolam 1 mg,
16 90 ct., with two (2) refills, and Meperidine 50 mg., 40 ct., on January 18, 2011.

17 Arizona Board Discipline

18 5. The Arizona Board determined that the standard of care when prescribing
19 medications for patients requires documentation of the medications prescribed, indications for use
20 and monitoring of the amounts being prescribed and noted in the medical record. The Arizona
21 Board determined that Respondent deviated from the standard of care by inappropriately prescribing
22 medications for patients, and that the excess prescribing of these medications can lead to addiction
23 or overdose with a possible fatal outcome.

24 6. For the foregoing misconduct, the Arizona Board found Respondent guilty of
25 unprofessional conduct pursuant to Arizona Revised Statute (ARS) §32-2501(18)(i) ("prescribing
26 or dispensing controlled substances or prescription-only drugs for which the physician assistant is
27 not approved or in excess of the amount authorized pursuant to this chapter"); ARS §32-2501(18)(j)
28 ("any conduct or practice that is or might be harmful or dangerous to the health of a patient or the

1 public”); ARS § 32-2501 (18)(p) (“failing or refusing to maintain adequate records on a patient”),
2 and ARS § 32-2501(18)(z) (“failing to furnish legally requested information to the [Arizona Board]
3 or its Investigator in a timely manner.”). The Arizona Board also found that a practice restriction
4 was needed in order to protect the public, and ordered that Respondent be issued a Letter of
5 Reprimand, placed on probation for one (1) year with additional conditions and restrictions.

6 **Respondent’s Arizona License Renewal**

7 7. Respondent’s license to practice medicine as a physician assistant in the State of
8 Arizona (License No. 2228) was due for renewal by June 1, 2013; Respondent did not renew, and
9 her Arizona license expired by operation of law on May 20, 2014.

10 **Criminal Conduct by Respondent in Arizona**

11 8. On or about September 14, 2013, the Arizona Court found that Respondent had
12 knowingly, intelligently and voluntarily pled guilty to the offense of: COUNT 3: OBTAINING A
13 DANGEROUS DRUG BY FRAUD, CLASS 3 FELONY. On or about October 2, 2013, the
14 Arizona Court entered its judgment finding Respondent guilty of the foregoing charge, and
15 sentenced Respondent to a suspended imposition of sentence and placing the Defendant on
16 probation for a period of four years commencing October 2, 2013, among other conditions of
17 probation.

18 9. On or about January 17, 2014, pursuant to a Petition to Revoke Probation, the
19 Arizona Court ordered that Respondent be held without bond pending hearing on said petition.

20 10. On or about August 11, 2014, the Arizona Court found Respondent guilty of
21 violating her probation for the following crimes: OBTAINING A DANGEROUS DRUG BY
22 FRAUD, CLASS 3 FELONY, and SEXUAL CONDUCT WITH A MINOR, CLASS 6 FELONY.
23 For the first crime, Respondent was sentenced to two and one-half years with the Arizona
24 Department of Corrections, as a minimum sentence, to date from August 11, 2014, and was given
25 credit for two hundred eight (208) days served prior to sentencing. For the second crime,
26 Respondent as sentenced to one (1) additional year of incarceration, that sentence to run consecutive
27 to the other.

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1 **Respondent’s Application for a Physician Assistant License in the State of Nevada**

2 11. On or about September 24, 2019, Respondent applied to the Board for a license to
3 practice medicine as a physician assistant in the State of Nevada. On March 6, 2020, the Board met
4 for its regularly scheduled public meeting, and considered Respondent’s application in open session,
5 at which time, Respondent informed the Board that she had not practiced clinical medicine since she
6 had been incarcerated, and stated that, though she had secured a job at a medical spa, and planned in
7 the future to perform plastic surgery injections, in-office procedures, excisions, and assisting with
8 different procedures, nevertheless, she had not done so yet and the aforementioned job offer was
9 contingent upon her obtaining a license in Nevada. At the meeting, individual Board members
10 expressed concerns regarding her history of criminal and unprofessional conduct, and concerns
11 about the fact that Respondent had not practiced clinical medicine since her incarceration.
12 Nevertheless, considering that Respondent had recently recertified as a physician assistant with
13 National Commission on Certification of Physician Assistants, which demonstrated to some extent
14 her current clinical competency, the Board approved her application and granted her a license to
15 practice medicine.

16 12. The Board issued to Respondent an active license to practice medicine as a physician
17 assistant in the State of Nevada (License No. PA2277) on March 6, 2020.

18 13. Respondent was not licensed to practice medicine as a physician assistant in the
19 State of Nevada before March 6, 2020.

20 14. Respondent does not hold an active Drug Enforcement Agency (DEA) registration,
21 and has not held a valid registration since 2016. Respondent also does not hold and has never held
22 an active license or registration with the Nevada State Board of Pharmacy (NSBOP).

23 **II. STATEMENT OF LAW**

24 15. Pursuant to NRS 630.020(1)-(4), the “Practice of medicine” means:

25 1. To diagnose, treat, correct, prevent or prescribe for any human
26 disease, ailment, injury, infirmity, deformity or other condition,
27 physical or mental, by any means or instrumentality, including, but
not limited to, the performance of an autopsy.

28 2. To apply principles or techniques of medical science in the
diagnosis or the prevention of any such conditions.

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- 3. To perform any of the acts described in subsections 1 and 2 by using equipment that transfers information concerning the medical condition of the patient electronically, telephonically or by fiber optics, including, without limitation, through telehealth, from within or outside this State or the United States.
- 4. To offer, undertake, attempt to do or hold oneself out as able to do any of the acts described in subsections 1 and 2.

16. NRS 630.400(1)(d) provides that it is unlawful to practice medicine without being licensed under NRS Chapter 630.

17. Pursuant to NRS 630.400(2) and NRS 193.130(c) and (d), the unlawful practice of medicine is a felony, punishable by imprisonment in the state prison for a minimum term of not less than one (1) year and a maximum term of not more than five (5) years.

18. NAC 630.380(1)(m) provides that violating any provision of NRS 630.301 to 630.3065, is grounds for initiating disciplinary action against a physician assistant.

19. NAC 630.380(1)(f) provides that malpractice in the performance of medical services is grounds for initiating disciplinary action against a physician assistant.

20. NRS 630.301(4) provides that malpractice is grounds for initiating disciplinary action against a physician.

21. Pursuant to NAC 630.375(2) a physician assistant shall not perform medical services without supervision from his or her supervising physician, except in life-threatening and emergency situations.

22. Pursuant to NAC 630.370, a supervising physician is responsible for all the medical activities of his or her physician assistant and shall ensure, among other obligations, that the physician assistant performs only those medical services which have been approved by his or her supervising physician, there is strict compliance with the regulations of the State Board of Pharmacy regarding controlled substances, poisons, dangerous drugs or devices, and that the supervising physician is available at all times that his or her physician assistant is performing medical services to consult with his or her assistant.

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1 23. Pursuant to NAC 630.380(1)(a), willfully and intentionally making a false or
2 fraudulent statement in applying for a license is grounds for initiating disciplinary action against a
3 physician assistant.

4 24. Pursuant to NAC 630.380(1)(a), performing medical services otherwise than in a
5 life-threatening or emergency situation, and at the direction or under the supervision of the
6 supervising physician of the physician assistant is grounds for initiating disciplinary action against
7 a physician assistant.

8 25. Pursuant to NRS 630.3065(2)(c), knowingly or willfully failing to comply with or
9 provision of NRS Chapter 630 is grounds for initiating disciplinary action against a physician.

10 26. NAC 630.040 defines malpractice as “the failure of a physician, in treating a
11 patient, to use the reasonable care, skill, or knowledge ordinarily used under similar
12 circumstances.”

13 27. Pursuant to 21 Code of Federal Regulations (CFR) §1306.04(a)-(b) and
14 NRS 453.381, a physician or physician assistant may prescribe or administer controlled
15 substances only for a legitimate medical purpose and in the usual course of his or her professional
16 practice. The responsibility for the proper prescribing and dispensing of controlled substances is
17 upon the prescribing practitioner, and a prescription may not be issued in order for an individual
18 practitioner to obtain controlled substances for supplying the individual practitioner for the
19 purpose of general dispensing to patients. 21 CFR §1306.04(a)-(b).

20 28. Pursuant to NRS 630.3062(1)(h), fraudulent, illegal, unauthorized or otherwise
21 inappropriate prescribing, administering or dispensing of a controlled substance listed in schedule
22 II, III or IV is grounds for initiating disciplinary action or denying licensure.

23 29. Pursuant to NRS 449.442(1)-(2), an office of a physician or a facility that provides
24 health care, other than a medical facility (as specifically defined in NRS 449.0151), must obtain a
25 permit pursuant to NRS 449.443 from the Nevada State Board of Health, and must maintain
26 current accreditation by a nationally recognized organization approved by the Nevada State Board
27 of Health, before offering to a patient a service of general anesthesia, conscious sedation or deep
28 sedation.

1 30. Pursuant to NRS 630.306(1)(o), failure to comply with the requirements of
2 NRS 630.373 is grounds for initiating discipline or denying licensure.

3 31. Pursuant to NRS 630.373(1), a physician shall not administer or supervise directly
4 the administration of general anesthesia, conscious sedation or deep sedation to patients unless the
5 general anesthesia, conscious sedation or deep sedation is administered: (a) in an office of a
6 physician or osteopathic physician which holds a permit pursuant to NRS 449.435 to 449.448,
7 inclusive; (b) in a facility which holds a permit pursuant to NRS 449.435 to 449.448, inclusive;
8 (c) in a medical facility as that term is defined in NRS 449.0151; or (d) outside of the State of
9 Nevada.

10 32. For the purposes of NRS 630.373, “conscious sedation” means a minimally
11 depressed level of consciousness, produced by a pharmacologic or nonpharmacologic method, or
12 a combination thereof, in which the patient retains the ability independently and continuously to
13 maintain an airway and to respond appropriately to physical stimulation and verbal commands.
14 NRS 449.436.

15 33. Pursuant to NRS 453.021, “administer” means the direct application of a controlled
16 substance, whether by injection, inhalation, ingestion or any other means, to the body of a patient
17 or research subject by: (1) a practitioner or, in the practitioner’s presence, by the practitioner’s
18 authorized agent; or (2) the patient or research subject at the direction and in the presence of the
19 practitioner.

20 34. Pursuant to NRS 454.217, a person shall not inject a neuromodulator that is derived
21 from Clostridium botulinum or is biosimilar to or the bioequivalent of such a neuromodulator
22 unless (1) the person is a physician or physician assistant licensed pursuant to NRS Chapter 630, a
23 qualified dentist licensed pursuant to NRS 631.391, a registered nurse or advanced practice
24 registered nurse, a physician or physician assistant licensed pursuant to NRS Chapter 633, or a
25 qualified podiatric physician to NRS 635.086, (2) it is within his or her scope of practice, and (3)
26 the injection occurs at a location that is either a medical facility, as defined in NRS 449.0151, or at
27 the office of a physician or physician assistant licensed pursuant to chapter 630 or 633 of
28 NRS, dentist, advanced practice registered nurse or podiatric physician.

1 35. A person who violates any portion of NRS 454.217 is guilty of a misdemeanor.
2 NRS 454.356

3 36. Pursuant to NRS 629.086, a person shall not inject dermal or soft tissue fillers
4 unless (1) the person is a physician or physician assistant licensed pursuant to NRS Chapter 630, a
5 qualified dentist licensed pursuant to NRS 631.391, a registered nurse or advanced practice
6 registered nurse, a physician or physician assistant licensed pursuant to NRS Chapter 633, or a
7 qualified podiatric physician to NRS 635.086, (2) it is within his or her scope of practice, and (3)
8 the injection occurs at a location that is either a medical facility, as defined in NRS 449.0151, or at
9 the office of a physician or physician assistant licensed pursuant to chapter 630 or 633 of
10 NRS, dentist, advanced practice registered nurse or podiatric physician.

11 37. A person who violates any portion of NRS 629.086 is guilty of a misdemeanor.
12 NRS 629.086(3).

13 38. Pursuant to NRS 630.306(1)(u), the failure to comply with the provisions of
14 NRS 454.217 or 629.086 is grounds for initiating disciplinary action against a physician.

15 39. NAC 630.301(9) provides that engaging in conduct that brings the medical
16 profession into disrepute is grounds for initiating disciplinary action against a physician assistant.

17 **III. RESPONDENT’S UNLICENSED PRACTICE OF MEDICINE AT VIDA SPA,
18 MALPRACTICE, DISREPUTABLE CONDUCT AND RELATED VIOLATIONS OF
19 THE NEVADA MEDICAL PRACTICE ACT.**

20 40. Vida Spa LLC, a Nevada Limited Liability Company, formed July 22, 2016,
21 managed by Gisselle Platfoot (“Vida Spa”), and also doing business as “Vida Spa” and
22 “Vita Medical Spa Las Vegas,” is a self-described “medical spa” located at 3225 S Rainbow Blvd
#107 and/or #206, Las Vegas, NV 89146.

23 41. Vida Spa LLC, is licensed in Clark County, Nevada, under Clark County Business
24 License No. 2003447.081-172, under the business category of “Cosmetology Establishment -
25 Other Services.” The owners listed under this license are Art Matrix, Inc. and Gisselle Platfoot.

26 42. Gisselle Platfoot, manager of Vida Spa LLC, at all times relevant to this complaint,
27 did not hold a license to practice any healing art as a “provider of health care,” as defined in
28 NRS 629.031, from any occupational licensing board in the State of Nevada.

1 43. Vida Spa is “a facility that provides health care, other than a medical facility”
2 (NRS 449.442). Neither Respondent, Vida Spa, nor Gisselle Platfoot held, or currently holds, the
3 requisite permit, pursuant to NRS 449.442, to perform general anesthesia, conscious sedation or
4 deep sedation. Additionally neither Respondent, Vida Spa, nor Gisselle Platfoot held a current
5 accreditation by a nationally recognized organization approved by the Nevada State Board of
6 Health.

7 44. At all times relevant to this Complaint, Vida Spa was not a “medical facility,” as
8 defined in NRS 449.0151, and not “the office” of a physician or physician assistant licensed
9 pursuant to NRS chapter 630 or 633, qualified dentist, advanced practice registered nurse or
10 podiatric physician, as provided in NRS 454.217.

11 45. On March 24, 2021, the NSBOP issued a Citation and Order to Cease and Desist
12 (Platfoot Citation) to Vida Spa LLC and Gisselle Platfoot, whereby the NSBOP determined that
13 Vida Spa LLC and Gisselle Platfoot were possessing, administering, prescribing and/or dispensing
14 controlled substances and/or dangerous drugs for Nevada patients from Vida Spa in violation of
15 federal and state law. Specifically, the Platfoot Citation states that Vida Spa and Gisselle Platfoot
16 did not have a dispensing registration and are therefore prohibited from possessing, dispensing
17 and/or administering controlled substances and/or dangerous drugs. The Platfoot Citation finds
18 that Vida Spa and Gisselle Platfoot violated, attempted to violate, assisted or abetted in the
19 violation of or conspired to violate, without limitation, NRS 453.226, NRS 453.316,
20 NRS 453.321(1)(a), NRS 453.331 (l)(c)(d)(t)&(i), NRS 453.381(1), NRS 453.401(1)(a),
21 NRS 639.0727, NRS 639.100(1), NRS 639.23505, NRS 639.281, NRS 639.2813, NRS 639.310,
22 NAC 639.742, 21 U.S.C. § 822(a)(2), 21 U.S.C. § 823(f), 21 U.S.C. § 841(a), 21 U.S.C. § 842(a),
23 21 U.S.C. § 846 and 21 CFR §§ 1306.03-1306.05. The Platfoot Citation orders Vida Spa LLC
24 and Gisselle Platfoot, pursuant to NRS 639.2895(1), to immediately cease and desist possessing,
25 administering, prescribing and/or dispensing controlled substances for Nevada patients, and also
26 assessed an administrative fine of five thousand dollars (\$5,000.00) pursuant to
27 NRS 639.2895(3).

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1 **A. Respondent’s Treatment of Patient A Without a License**

2 46. Patient A² was a fifty-seven (57) year-old female at the time of the events at issue.

3 47. At all times relevant to Respondent’s treatment of Patient A, the so-called “medical
4 director” of Vida Spa was Sherman Washington, Jr., M.D.

5 48. On October 9, 2019, Respondent, who did not have her own DEA registration and
6 controlled substance license issued by the NSBOP, utilized the prescribing credentials of Sherman
7 Washington, Jr., M.D., to issue fraudulent prescriptions to Patient A for Tramadol (a Schedule IV
8 Controlled Substance) 50 mg tablets, 24 ct. for 3 days, and Diazepam
9 (a Schedule IV Controlled Substance) 10 mg tablets, 8 ct. for 3 days; these prescriptions were
10 called-in to the pharmacy by Respondent, or by a Vida Spa employee or agent acting at
11 Respondent’s direction, and the prescriptions were filled the same day.

12 49. Respondent instructed Patient A to take Schedule IV controlled substances in a
13 manner that materially deviated from the issued prescriptions; Respondent instructed Patient A to
14 take Tramadol 50mg, 2 tablets, and Diazepam 10 mg, 1 tablet, at 2:00 p.m., on October 10, 2019,
15 for the purpose of conscious sedation for an invasive, surgical liposuction procedure Respondent
16 planned to perform on Patient A at Vida Spa at 3:00 p.m. that day.

17 50. Respondent wrote the prescriptions for these controlled substances and instructed
18 Patient A to deviate from the issued prescription in order to conceal the purpose of the
19 medications, which was conscious sedation, and thereby to conceal a violation by Vida Spa of
20 NRS 449.442(1)-(2).

21 51. Dr. Washington did not see or treat Patient A, did not direct or supervise
22 Respondent in her treatment of Patient A, and did not specifically direct Respondent to issue
23 prescriptions to Patient A.

24 52. On October 10, 2019, at Vida Spa, at approximately 3:00 p.m., Respondent
25 performed a liposuction procedure on the arms of Patient A. Respondent administered tumescent
26 anesthesia with Lidocaine and Epinephrine to Patient A, which Respondent obtained, without a
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28 ² Patient A’s true identity is not disclosed herein to protect her privacy, but is disclosed in the Patient Designation served upon Respondent along with a copy of this Complaint, along with identifying information for all other patients B through L referred to herein.

1 patient-specific prescription or an order from a licensed practitioner for Patient A, from a general
2 store of controlled substances and dangerous drugs obtained and maintained by Vida Spa in
3 violation of federal and state law.

4 53. Respondent was not supervised by any licensed physician while performing this
5 invasive surgical procedure on Patient A at Vida Spa.

6 **COUNT I**

7 **NRS 630.400(1) – Unlicensed Practice of Medicine**

8 54. All of the allegations contained in the above paragraphs are hereby incorporated by
9 reference as though fully set forth herein.

10 55. Respondent practiced medicine without a license when she treated Patient A on
11 October 9 and 10, 2019.

12 56. Respondent, having been previously disciplined by the Arizona Board and
13 incarcerated in the State of Arizona for conduct related to her practice of medicine, having let her
14 license to practice medicine in the State of Arizona expire while incarcerated, and as evidenced by
15 her subsequent application to the Board for a license to practice medicine in the State of Nevada,
16 among other evidence of scienter, Respondent’s unlicensed practice of medicine in violation of
17 NRS 630.400(1)(d) was knowing and willful.

18 57. By reason of the foregoing, Respondent is subject to discipline by the Board as
19 provided in NRS 630.352.

20 **COUNT II**

21 **NRS 630.301(4) - Malpractice**

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

24 59. As demonstrated by, but not limited to, the above-outlined facts, Respondent
25 committed malpractice when she failed to use the reasonable care, skill or knowledge ordinarily
26 used under similar circumstances when rendering medical services to Patient A, by, among other
27 misconduct, knowingly, willfully and feloniously practicing medicine with respect to Patient A
28 without first obtaining a license to practice medicine in the State of Nevada, by performing an

1 invasive surgical procedure on Patient A, by administering tumescent anesthesia to Patient A
2 utilizing dangerous drugs from Vida Spa's general store of controlled substances and dangerous
3 drugs used for general administration and dispensing to patients, by issuing fraudulent and illegal
4 prescriptions for controlled substances to Patient A, by instructing Patient A to take controlled
5 substances in a manner that materially deviated from the issued prescriptions in order to conceal
6 the purpose of the medications, which was conscious sedation, and thereby to conceal an apparent
7 violation by Vida Spa of NRS 449.442(1)-(2), and by treating Patient A without the direct
8 supervision of a licensed physician.

9 60. By reason of the foregoing, Respondent is subject to discipline by the Board as
10 provided in NRS 630.352.

11 **COUNT III**

12 **NRS 630.3062(1)(h) – Fraudulent, Illegal, Unauthorized and Otherwise Inappropriate**
13 **Prescribing of Schedule IV Controlled Substance**

14 61. All of the allegations contained in the above paragraphs are hereby incorporated by
15 reference as though fully set forth herein.

16 62. As demonstrated by, but not limited to, the above-outlined facts, Respondent issued
17 fraudulent, illegal, unauthorized and otherwise inappropriate prescriptions for Schedule IV
18 controlled substances, Tramadol and Diazepam, to Patient A by, among other misconduct,
19 knowingly, willfully and feloniously practicing medicine with respect to Patient A without first
20 obtaining a license to practice medicine in the State of Nevada, a DEA registration, and a
21 controlled substance license issued by the NSBOP, by issuing fraudulent and illegal prescriptions
22 for these controlled substances to Patient A, by instructing Patient A to take these controlled
23 substances in a manner that materially deviated from the issued prescriptions in order to conceal
24 the purpose of the medications, which was conscious sedation, and thereby to conceal an apparent
25 violation by Vida Spa of NRS 449.442(1)-(2).

26 63. By reason of the foregoing, Respondent is subject to discipline by the Board as
27 provided in NRS 630.352.

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1 COUNT IV

2 **NRS 630.301(9) – Disreputable Conduct**

3 64. All of the allegations contained in the above paragraphs are hereby incorporated by
4 reference as though fully set forth herein.

5 65. Respondent engaged in conduct that brings the medical profession into disrepute
6 by, among other misconduct, knowingly, willfully and feloniously practicing medicine without
7 first obtaining a license to practice medicine in the State of Nevada, by performing an invasive
8 surgical procedure on Patient A, by administering tumescent anesthesia to Patient A utilizing
9 dangerous drugs from Vida Spa’s general store of controlled substances and dangerous drugs used
10 for general administration and dispensing to patients, by issuing fraudulent and illegal
11 prescriptions for Schedule IV controlled substances to Patient A, by instructing Patient A to take
12 these controlled substances in a manner that materially deviated from the issued prescriptions in
13 order to conceal the purpose of the medications, which was conscious sedation, and thereby to
14 conceal an apparent violation by Vida Spa of NRS 449.442(1)-(2), and by treating Patient A
15 without the direct supervision of a licensed physician.

16 66. By reason of the foregoing, Respondent is subject to discipline by the Board as
17 provided in NRS 630.352.

18 **B. Respondent’s Treatment of Patient B Without a License**

19 67. Patient B was a thirty-one (31) year-old female at the time of the events at issue.

20 68. At all times relevant to Respondent’s treatment of Patient B, the so-called “medical
21 director” of Vida Spa was Sherman Washington, Jr., M.D.

22 69. On October 7, 2019, Respondent, who did not have her own DEA registration and
23 controlled substance license issued by the NSBOP, utilized the prescribing credentials of Sherman
24 Washington, Jr., M.D., to issue fraudulent prescriptions to Patient B for Tramadol 50 mg tablets (a
25 Schedule IV Controlled Substance), 20 ct. for 3 days, Promethazine 25 mg tablets, 12 ct. for 2
26 days, Sulfameth/Trimethprim 800/160 mg tablets, 20 ct. for 10 days; these prescriptions were
27 called-in to the pharmacy by Respondent, or by a Vida Spa employee or agent acting at
28 Respondent’s direction, and the prescriptions were filled the same day.

COUNT VIII

NRS 630.301(9) – Disreputable Conduct

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

84. Respondent engaged in conduct that brings the medical profession into disrepute by, among other misconduct, knowingly, willfully and feloniously practicing medicine without first obtaining a license to practice medicine in the State of Nevada, and by performing an invasive surgical procedure on Patient B, by administering tumescent anesthesia to Patient B utilizing dangerous drugs from Vida Spa’s general store of controlled substances and dangerous drugs used for general administration and dispensing to patients, by issuing a fraudulent and illegal prescription for a Schedule IV controlled substances to Patient B, and by treating Patient B without the direct supervision of a licensed physician.

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

C. Respondent’s Treatment of Patient C Without a License

86. Patient C was a forty-three (43) year-old female at the time of the events at issue.

87. At all times relevant to Respondent’s treatment of Patient C, the so-called “medical director” of Vida Spa was Sherman Washington, Jr., M.D.

88. On October 9, 2019, Respondent, who did not have her own DEA registration and controlled substance license issued by the NSBOP, utilized the prescribing credentials of Sherman Washington, Jr., M.D., to issue fraudulent prescriptions to Patient C for Tramadol (a Schedule IV Controlled Substance) 50 mg tablets, 24 ct. for 3 days, Diazepam (a Schedule IV Controlled Substance) 10 mg tablets, 12 ct. for 4 days, Promethazine 25 mg tablets, 20 ct for 5 days, and Sulfameth/Trimethprim 800/160 mg tablets, 20 ct. for 10 days; these prescriptions were called-in to the pharmacy by Respondent, or by a Vida Spa employee or agent acting at Respondent’s direction, and the prescriptions were filled the same day.

89. Respondent instructed Patient C to take the Schedule IV controlled substances in a manner that materially deviated from the issued prescriptions; Respondent instructed Patient C to

1 take Tramadol 50mg, 2 tablets, and Diazepam 10 mg, 1 tablet, one hour in advance an invasive,
2 surgical liposuction procedure Respondent planned to perform on Patient C at Vida Spa on
3 October 9, 2019, for the purpose of conscious sedation.

4 90. Respondent wrote the prescriptions for these controlled substances and instructed
5 Patient C to deviate from the issued prescription in order to conceal the purpose of the
6 medications, which was conscious sedation, and thereby to conceal an apparent violation by
7 Vida Spa of NRS 449.442(1)-(2).

8 91. Dr. Washington did not see or treat Patient C, did not direct or supervise
9 Respondent in her treatment of Patient C, and did not specifically direct Respondent to issue
10 prescriptions to Patient C.

11 92. On October 9, 2019, at Vida Spa, Respondent performed a liposuction procedure
12 on the arms of Patient C. Respondent administered tumescent anesthesia with Lidocaine and
13 Epinephrine to Patient C, which Respondent obtained, without a patient-specific prescription or an
14 order from a licensed practitioner for Patient C, from a general store of controlled substances and
15 dangerous drugs obtained and maintained by Vida Spa in violation of federal and state law.

16 93. Respondent was not supervised by any licensed physician while performing this
17 invasive surgical procedure on Patient C at Vida Spa.

18 COUNT IX

19 **NRS 630.400(1) – Unlicensed Practice of Medicine**

20 94. All of the allegations contained in the above paragraphs are hereby incorporated by
21 reference as though fully set forth herein.

22 95. Respondent practiced medicine without a license when she treated Patient C on
23 October 9, 2019.

24 96. Respondent, having been previously disciplined by the Arizona Board and
25 incarcerated in the State of Arizona for conduct related to her practice of medicine, having let her
26 license to practice medicine in the State of Arizona expire while incarcerated, and as evidenced by
27 her subsequent application to the Board for a license to practice medicine in the State of Nevada,
28

1 among other evidence of scienter, Respondent's unlicensed practice of medicine in violation of
2 NRS 630.400(1)(d) was knowing and willful.

3 97. By reason of the foregoing, Respondent is subject to discipline by the Board as
4 provided in NRS 630.352.

5 **COUNT X**

6 **NRS 630.301(4) - Malpractice**

7 98. All of the allegations contained in the above paragraphs are hereby incorporated by
8 reference as though fully set forth herein.

9 99. As demonstrated by, but not limited to, the above-outlined facts, Respondent
10 committed malpractice when she failed to use the reasonable care, skill or knowledge ordinarily
11 used under similar circumstances when rendering medical services to Patient C, by, among other
12 misconduct, knowingly, willfully and feloniously practicing medicine with respect to Patient C
13 without first obtaining a license to practice medicine in the State of Nevada, by performing an
14 invasive surgical procedure on Patient C, by administering tumescent anesthesia to Patient C
15 utilizing dangerous drugs from Vida Spa's general store of controlled substances and dangerous
16 drugs used for general administration and dispensing to patients, by issuing fraudulent and illegal
17 prescriptions for controlled substances to Patient C, by instructing Patient C to take controlled
18 substances in a manner that materially deviated from the issued prescriptions in order to conceal
19 the purpose of the medications, which was conscious sedation, and thereby to conceal an apparent
20 violation by Vida Spa of NRS 449.442(1)-(2), and by treating Patient C without the direct
21 supervision of a licensed physician.

22 100. By reason of the foregoing, Respondent is subject to discipline by the Board as
23 provided in NRS 630.352.

24 **COUNT XI**

25 **NRS 630.3062(1)(h) – Fraudulent, Illegal, Unauthorized and Otherwise Inappropriate**
26 **Prescribing of Schedule IV Controlled Substance**

27 101. All of the allegations contained in the above paragraphs are hereby incorporated by
28 reference as though fully set forth herein.

1 106. By reason of the foregoing, Respondent is subject to discipline by the Board as
2 provided in NRS 630.352.

3 **D. Respondent’s Treatment of Patient D Without a License**

4 107. Patient D was a twenty-two (22) year-old female at the time of the events at issue.

5 108. At all times relevant to Respondent’s treatment of Patient D, the so-called “medical
6 director” of Vida Spa was Sherman Washington, Jr., M.D.

7 109. On October 12, 2019, Respondent, who did not have her own DEA registration and
8 controlled substance license issued by the NSBOP, utilized the prescribing credentials of Sherman
9 Washington, Jr., M.D., to issue fraudulent prescriptions to Patient D for Tramadol (a Schedule IV
10 Controlled Substance) 50 mg tablets, 24 ct. for 3 days and Diazepam (a Schedule IV Controlled
11 Substance) 10 mg tablets, 8 ct. for 3 days; on information and belief, these prescriptions were
12 called-in to the pharmacy by Respondent, or by a Vida Spa employee or agent acting at
13 Respondent’s direction, and the prescriptions were filled the same day.

14 110. On information and belief, Respondent instructed Patient D to take the Schedule IV
15 controlled substances in a manner that materially deviated from the issued prescriptions;
16 Respondent instructed Patient D to take Tramadol 50mg, 2 tablets, and Diazepam 10 mg, 1 tablet,
17 one hour in advance an invasive, surgical liposuction procedure Respondent planned to perform
18 on Patient D at Vida Spa on October 13, 2019, for the purpose of conscious sedation.

19 111. On information and belief, Respondent wrote the prescriptions for these controlled
20 substances and instructed Patient D to deviate from the issued prescription in order to conceal the
21 purpose of the medications, which was conscious sedation, and thereby to conceal an apparent
22 violation by Vida Spa of NRS 449.442(1)-(2).

23 112. Dr. Washington did not see or treat Patient D, did not direct or supervise
24 Respondent in her treatment of Patient D, and did not specifically direct Respondent to issue
25 prescriptions to Patient D.

26 113. On October 13, 2019, at Vida Spa, Respondent performed a liposuction procedure
27 on the abdomen and medial inferior upper arms of Patient D. Respondent administered tumescent
28 anesthesia with Lidocaine and Epinephrine to Patient D, which Respondent obtained, without a

1 patient-specific prescription or an order from a licensed practitioner for Patient D, from a general
2 store of controlled substances and dangerous drugs obtained and maintained by Vida Spa in
3 violation of federal and state law.

4 114. Respondent was not supervised by any licensed physician while performing this
5 invasive surgical procedure on Patient D at Vida Spa.

6 **COUNT XIII**

7 **NRS 630.400(1) – Unlicensed Practice of Medicine**

8 115. All of the allegations contained in the above paragraphs are hereby incorporated by
9 reference as though fully set forth herein.

10 116. Respondent practiced medicine without a license when she treated Patient D on
11 October 12 and 13, 2019.

12 117. Respondent, having been previously disciplined by the Arizona Board and
13 incarcerated in the State of Arizona for conduct related to her practice of medicine, having let her
14 license to practice medicine in the State of Arizona expire while incarcerated, and as evidenced by
15 her subsequent application to the Board for a license to practice medicine in the State of Nevada,
16 among other evidence of scienter, Respondent’s unlicensed practice of medicine in violation of
17 NRS 630.400(1)(d) was knowing and willful.

18 118. By reason of the foregoing, Respondent is subject to discipline by the Board as
19 provided in NRS 630.352.

20 **COUNT XIV**

21 **NRS 630.301(4) - Malpractice**

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

24 120. As demonstrated by, but not limited to, the above-outlined facts, Respondent
25 committed malpractice when she failed to use the reasonable care, skill or knowledge ordinarily
26 used under similar circumstances when rendering medical services to Patient D, by, among other
27 misconduct, knowingly, willfully and feloniously practicing medicine with respect to Patient D
28 without first obtaining a license to practice medicine in the State of Nevada, by performing an

1 invasive surgical procedure on Patient D, by administering tumescent anesthesia to Patient D
2 utilizing dangerous drugs from Vida Spa's general store of controlled substances and dangerous
3 drugs used for general administration and dispensing to patients, by issuing fraudulent and illegal
4 prescriptions for controlled substances to Patient D, by instructing Patient D to take controlled
5 substances in a manner that materially deviated from the issued prescriptions in order to conceal
6 the purpose of the medications, which was conscious sedation, and thereby to conceal an apparent
7 violation by Vida Spa of NRS 449.442(1)-(2), and by treating Patient D without the direct
8 supervision of a licensed physician.

9 121. By reason of the foregoing, Respondent is subject to discipline by the Board as
10 provided in NRS 630.352.

11 **COUNT XV**

12 **NRS 630.3062(1)(h) – Fraudulent, Illegal, Unauthorized and Otherwise Inappropriate**
13 **Prescribing of Schedule IV Controlled Substance**

14 122. All of the allegations contained in the above paragraphs are hereby incorporated by
15 reference as though fully set forth herein.

16 123. As demonstrated by, but not limited to, the above-outlined facts, Respondent issued
17 fraudulent, illegal, unauthorized and otherwise inappropriate prescriptions for Schedule IV
18 controlled substances, Tramadol and Diazepam, to Patient D by, among other misconduct,
19 knowingly, willfully and feloniously practicing medicine with respect to Patient D without first
20 obtaining a license to practice medicine in the State of Nevada, a DEA registration, and a
21 controlled substance license issued by the NSBOP, by issuing fraudulent and illegal prescriptions
22 for these controlled substances to Patient D, by instructing Patient D to take these controlled
23 substances in a manner that materially deviated from the issued prescriptions in order to conceal
24 the purpose of the medications, which was conscious sedation, and thereby to conceal an apparent
25 violation by Vida Spa of NRS 449.442(1)-(2).

26 124. By reason of the foregoing, Respondent is subject to discipline by the Board as
27 provided in NRS 630.352.

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COUNT XVI

NRS 630.301(9) – Disreputable Conduct

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

126. Respondent engaged in conduct that brings the medical profession into disrepute by, among other misconduct, knowingly, willfully and feloniously practicing medicine without first obtaining a license to practice medicine in the State of Nevada, and by performing an invasive surgical procedure on Patient D, administering tumescent anesthesia to Patient D utilizing dangerous drugs from Vida Spa’s general store of controlled substances and dangerous drugs used for general administration and dispensing to patients, issuing fraudulent prescriptions for controlled substances to Patient D, violating and attempting to conceal violations of NRS 449.442(1)-(2), and 21 CFR §1306.04(a)-(b) and NRS 453.381, and treating Patient D without the direct supervision of a licensed physician.

E. Respondent’s Treatment of Patient E Without a License

127. Patient E was a thirty-three (33) year-old female at the time of the events at issue

128. At all times relevant to Respondent’s treatment of Patient E, the so-called “medical director” of Vida Spa was Sherman Washington, Jr., M.D.

129. On October 8, 2019, Respondent, who did not have her own DEA registration and controlled substance license issued by the NSBOP, utilized the prescribing credentials of Sherman Washington, Jr., M.D., to issue a fraudulent prescription to Patient E for Tramadol (a Schedule IV Controlled Substance) 50 mg tablets, 20 ct. for 4 days, which prescription was filled the same day.

130. Dr. Washington did not see or treat Patient E, did not direct or supervise Respondent in her treatment of Patient E, and did not specifically direct Respondent to issue a prescription to Patient E.

131. On October 8, 2019, at Vida Spa, Respondent performed a liposuction procedure on the arms of Patient E. Respondent administered tumescent anesthesia with Lidocaine and Epinephrine to Patient E, which Respondent obtained, without a patient-specific prescription or an order from a licensed practitioner for Patient E, from a general store of controlled substances and

1 dangerous drugs obtained and maintained by Vida Spa in violation of federal and state law.

2 132. Respondent was not supervised by any licensed physician while performing this
3 invasive surgical procedure on Patient E at Vida Spa.

4 **COUNT XVII**

5 **NRS 630.400(1) – Unlicensed Practice of Medicine**

6 133. All of the allegations contained in the above paragraphs are hereby incorporated by
7 reference as though fully set forth herein.

8 134. Respondent practiced medicine without a license when she treated Patient E on
9 October 7 and 8, 2019.

10 135. Respondent, having been previously disciplined by the Arizona Board and
11 incarcerated in the State of Arizona for conduct related to her practice of medicine, having let her
12 license to practice medicine in the State of Arizona expire while incarcerated, and as evidenced by
13 her subsequent application to the Board for a license to practice medicine in the State of Nevada,
14 among other evidence of scienter, Respondent’s unlicensed practice of medicine in violation of
15 NRS 630.400(1)(d) was knowing and willful.

16 136. By reason of the foregoing, Respondent is subject to discipline by the Board as
17 provided in NRS 630.352.

18 **COUNT XVIII**

19 **NRS 630.301(4) - Malpractice**

20 137. All of the allegations contained in the above paragraphs are hereby incorporated by
21 reference as though fully set forth herein.

22 138. As demonstrated by, but not limited to, the above-outlined facts, Respondent
23 committed malpractice when she failed to use the reasonable care, skill or knowledge ordinarily
24 used under similar circumstances when rendering medical services to Patient E, by, among other
25 misconduct, knowingly, willfully and feloniously practicing medicine with respect to Patient E
26 without first obtaining a license to practice medicine in the State of Nevada, by performing an
27 invasive surgical procedure on Patient E, by administering tumescent anesthesia to Patient E
28 utilizing dangerous drugs from Vida Spa’s general store of controlled substances and dangerous

1 drugs used for general administration and dispensing to patients, by issuing a fraudulent and
2 illegal prescription for a controlled substances to Patient E, and by treating Patient E without the
3 direct supervision of a licensed physician.

4 139. By reason of the foregoing, Respondent is subject to discipline by the Board as
5 provided in NRS 630.352.

6 **COUNT XIX**

7 **NRS 630.3062(1)(h) – Fraudulent, Illegal, Unauthorized and Otherwise Inappropriate**
8 **Prescribing of Schedule IV Controlled Substance**

9 140. All of the allegations contained in the above paragraphs are hereby incorporated by
10 reference as though fully set forth herein.

11 141. As demonstrated by, but not limited to, the above-outlined facts, Respondent issued
12 a fraudulent, illegal, unauthorized and otherwise inappropriate prescription for a Schedule IV
13 controlled substances, Tramadol, to Patient E by, among other misconduct, knowingly, willfully
14 and feloniously practicing medicine with respect to Patient E without first obtaining a license to
15 practice medicine in the State of Nevada, a DEA registration, and a controlled substance license
16 issued by the NSBOP, and by issuing a fraudulent and illegal prescription for a Schedule IV
17 controlled substances to Patient E.

18 142. By reason of the foregoing, Respondent is subject to discipline by the Board as
19 provided in NRS 630.352.

20 **COUNT XX**

21 **NRS 630.301(9) – Disreputable Conduct**

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

24 144. Respondent engaged in conduct that brings the medical profession into disrepute
25 by, among other misconduct, knowingly, willfully and feloniously practicing medicine without
26 first obtaining a license to practice medicine in the State of Nevada, and by performing an
27 invasive surgical procedure on Patient E, by administering tumescent anesthesia to Patient E
28 utilizing dangerous drugs from Vida Spa's general store of controlled substances and dangerous

1 drugs used for general administration and dispensing to patients, by issuing a fraudulent and
2 illegal prescription for a Schedule IV controlled substances to Patient E, and by treating Patient E
3 without the direct supervision of a licensed physician.

4 145. By reason of the foregoing, Respondent is subject to discipline by the Board as
5 provided in NRS 630.352.

6 **F. Respondent’s Treatment of Patient F Without a License**

7 146. Patient F was a male of unknown age at the time of the events at issue.

8 147. At all times relevant to Respondent’s treatment of Patient F, the so-called “medical
9 director” of Vida Spa was Sherman Washington, Jr., M.D.

10 148. On October 24, 2019, Respondent obtained, without a patient-specific prescription
11 or an order from a licensed practitioner for Patient F, “Botox,” a neuromodulator that is derived
12 from Clostridium botulinum or is biosimilar to or the bioequivalent of such a neuromodulator, and
13 “Versa,” a hyaluronic acid dermal filler, both of which are dangerous drugs as defined by
14 NRS 454.201, from Vida Spa’s general store of controlled substances and dangerous drugs used
15 for general administration and dispensing to patients.

16 149. Dr. Washington did not see or treat Patient F, and did not direct or supervise
17 Respondent in her treatment of Patient F.

18 150. On October 24, 2019, at Vida Spa, Respondent injected, and thereby administered
19 pursuant to NRS 454.191, the aforementioned Botox and Versa into various locations on the face
20 of Patient F.

21 151. Respondent was not supervised by any licensed physician while performing this
22 injection procedure on Patient F at Vida Spa.

23 **COUNT XXI**

24 **NRS 630.306(1)(u) – Illegal Injection of Botox**

25 152. All of the allegations contained in the above paragraphs are hereby incorporated by
26 reference as though fully set forth herein.

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1 license to practice medicine in the State of Arizona expire while incarcerated, and as evidenced by
2 her subsequent application to the Board for a license to practice medicine in the State of Nevada,
3 among other evidence of scienter, Respondent's unlicensed practice of medicine in violation of
4 NRS 630.400(1)(d) was knowing and willful.

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

7 **COUNT XXIV**

8 **NRS 630.301(4) - Malpractice**

9 162. All of the allegations contained in the above paragraphs are hereby incorporated by
10 reference as though fully set forth herein.

11 163. As demonstrated by, but not limited to, the above-outlined facts, Respondent
12 committed malpractice when she failed to use the reasonable care, skill or knowledge ordinarily
13 used under similar circumstances when rendering medical services to Patient F, by, among other
14 misconduct, knowingly, willfully and feloniously practicing medicine with respect to Patient F
15 without first obtaining a license to practice medicine in the State of Nevada, and by obtaining,
16 without a patient-specific prescription or an order from a licensed practitioner for Patient F,
17 dangerous drugs from Vida Spa's general store of controlled substances and dangerous drugs, and
18 by injecting Botox and Versa into the face of Patient F in violation of NRS 629.086 and
19 NRS 454.217, respectively, and by treating Patient F without the direct supervision of a licensed
20 physician.

21 164. By reason of the foregoing, Respondent is subject to discipline by the Board as
22 provided in NRS 630.352.

23 **COUNT XXV**

24 **NRS 630.301(9) – Disreputable Conduct**

25 165. All of the allegations contained in the above paragraphs are hereby incorporated by
26 reference as though fully set forth herein.

27 166. Respondent engaged in conduct that brings the medical profession into disrepute
28 by, among other misconduct, knowingly, willfully and feloniously practicing medicine with

1 respect to Patient F without first obtaining a license to practice medicine in the State of Nevada,
2 and by obtaining, without a patient-specific prescription or an order from a licensed practitioner
3 for Patient F, dangerous drugs from Vida Spa’s general store of controlled substances and
4 dangerous drugs, and by injecting Botox and Versa into the face of Patient F in violation of
5 NRS 629.086 and NRS 454.217, respectively, and by treating Patient F without the direct
6 supervision of a licensed physician.

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

9 **G. Respondent’s Treatment of Patient G Without a License**

10 168. Patient G was a sixty-six (66) year-old female at the time of the events at issue.

11 169. At all times relevant to Respondent’s treatment of Patient G, the so-called “medical
12 director” of Vida Spa was Sherman Washington, Jr., M.D.

13 170. On October 29, 2019, Respondent obtained, without a patient-specific prescription
14 or an order from a licensed practitioner for Patient G, “Xeomin,” a neuromodulator that is derived
15 from Clostridium botulinum or is biosimilar to or the bioequivalent of such a neuromodulator, and
16 “Versa,” a hyaluronic acid dermal filler, both of which are dangerous drugs as defined by
17 NRS 454.201, from Vida Spa’s general store of controlled substances and dangerous drugs used
18 for general administration and dispensing to patients.

19 171. Dr. Washington did not see or treat Patient G, did not direct or supervise
20 Respondent in her treatment of Patient G.

21 172. On October 24, 2019, at Vida Spa, Respondent injected, and thereby administered
22 pursuant to NRS 454.191, the aforementioned Xeomin and Versa into various locations on the
23 face of Patient G.

24 173. Respondent was not supervised by any licensed physician while performing this
25 injection procedure on Patient G at Vida Spa.

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COUNT XXVI

NRS 630.306(1)(u) – Illegal Injection of Xeomin

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

175. As demonstrated by, but not limited to, the above-outlined facts, Respondent injected Xeomin into the face of Patient G in violation of NRS 629.086 when she did so without a license to practice any form of medicine pursuant to NRS Chapter 630, NRS 631.391, NRS Chapter 633, or NRS 635.086, and at a location that is neither a medical facility, as defined in NRS 449.0151, nor at the office of a physician or physician assistant, licensed pursuant to NRS Chapters 630 or 633, dentist, advanced practice registered nurse or podiatric physician.

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

COUNT XXVII

NRS 630.306(1)(u) – Illegal Injection of Versa

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

178. As demonstrated by, but not limited to, the above-outlined facts, Respondent injected Versa into the face of Patient G in violation of NRS 454.217 when she did so without a license to practice any form of medicine pursuant to NRS Chapter 630, NRS 631.391, NRS Chapter 633, or NRS 635.086, and at a location that is neither a medical facility, as defined in NRS 449.0151, nor at the office of a physician or physician assistant, licensed pursuant to NRS Chapters 630 or 633, dentist, advanced practice registered nurse or podiatric physician.

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

COUNT XXVIII

NRS 630.400(1) – Unlicensed Practice of Medicine

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

1 181. Respondent practiced medicine without a license when she treated Patient G on
2 October 29, 2019.

3 182. Respondent, having been previously disciplined by the Arizona Board and
4 incarcerated in the State of Arizona for conduct related to her practice of medicine, having let her
5 license to practice medicine in the State of Arizona expire while incarcerated, and as evidenced by
6 her subsequent application to the Board for a license to practice medicine in the State of Nevada,
7 among other evidence of scienter, Respondent's unlicensed practice of medicine in violation of
8 NRS 630.400(1)(d) was knowing and willful.

9 183. By reason of the foregoing, Respondent is subject to discipline by the Board as
10 provided in NRS 630.352.

11 **COUNT XXIX**

12 **NRS 630.301(4) - Malpractice**

13 184. All of the allegations contained in the above paragraphs are hereby incorporated by
14 reference as though fully set forth herein.

15 185. As demonstrated by, but not limited to, the above-outlined facts, Respondent
16 committed malpractice when she failed to use the reasonable care, skill or knowledge ordinarily
17 used under similar circumstances when rendering medical services to Patient G, by, among other
18 misconduct, knowingly, willfully and feloniously practicing medicine with respect to Patient G
19 without first obtaining a license to practice medicine in the State of Nevada, and by obtaining,
20 without a patient-specific prescription or an order from a licensed practitioner for Patient G,
21 dangerous drugs from Vida Spa's general store of controlled substances and dangerous drugs, and
22 by injecting Xeomin and Versa into the face of Patient G in violation of NRS 629.086 and
23 NRS 454.217, respectively, and by treating Patient G without the direct supervision of a licensed
24 physician.

25 186. By reason of the foregoing, Respondent is subject to discipline by the Board as
26 provided in NRS 630.352.

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COUNT XXX

NRS 630.301(9) – Disreputable Conduct

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

188. Respondent engaged in conduct that brings the medical profession into disrepute by, among other misconduct, knowingly, willfully and feloniously practicing medicine with respect to Patient G without first obtaining a license to practice medicine in the State of Nevada, and by obtaining, without a patient-specific prescription or an order from a licensed practitioner for Patient G, dangerous drugs from Vida Spa’s general store of controlled substances and dangerous drugs, and by injecting Xeomin and Versa into the face of Patient G in violation of NRS 629.086 and NRS 454.217, respectively, and by treating Patient G without the direct supervision of a licensed physician.

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

H. Respondent’s Treatment of Patient H Without a License

190. Patient H was a forty-two (42) year-old person of unknown gender at the time of the events at issue.

191. At all times relevant to Respondent’s treatment of Patient H, Vida Spa had no so-called “medical director,” the directorship of Dr. Sherman Washington having terminated on November 1, 2019.

192. At all times relevant to Respondent’s treatment of Patient H, the only parties responsible for Vida Spa’s activities with respect to Patient H were Respondent and, on information and belief, the parties listed on Clark County Business License No. 2003447.081-172, under the business category of “Cosmetology Establishment - Other Services,” the owners of Vida Spa: Art Matrix, Inc. and Gisselle Platfoot.

193. On November 5, 2019 obtained, without a patient-specific prescription or an order from a licensed practitioner for Patient H, “Versa,” a hyaluronic acid dermal filler, a dangerous

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1 drug as defined by NRS 454.201, from Vida Spa's general store of controlled substances and
2 dangerous drugs used for general administration and dispensing to patients.

3 194. On November 5, 2019, at Vida Spa, Respondent injected, and thereby administered
4 pursuant to NRS 454.191, the aforementioned Versa into various locations on the face of
5 Patient H.

6 195. Respondent was not supervised by any licensed physician while performing this
7 injection procedure on Patient H at Vida Spa.

8 **COUNT XXVI**

9 **NRS 630.306(1)(u) – Illegal Injection of Versa**

10 196. All of the allegations contained in the above paragraphs are hereby incorporated by
11 reference as though fully set forth herein.

12 197. As demonstrated by, but not limited to, the above-outlined facts, Respondent
13 injected Versa into the face of Patient H in violation of NRS 454.217 when she did so without a
14 license to practice any form of medicine pursuant to NRS Chapter 630, NRS 631.391,
15 NRS Chapter 633, or NRS 635.086, and at a location that is neither a medical facility, as defined
16 in NRS 449.0151, nor at the office of a physician or physician assistant, licensed pursuant to
17 NRS Chapters 630 or 633, dentist, advanced practice registered nurse or podiatric physician.

18 198. By reason of the foregoing, Respondent is subject to discipline by the Board as
19 provided in NRS 630.352.

20 **COUNT XXVII**

21 **NRS 630.400(1) – Unlicensed Practice of Medicine**

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

24 200. Respondent practiced medicine without a license when she treated Patient H on
25 November 5, 2019.

26 201. Respondent, having been previously disciplined by the Arizona Board and
27 incarcerated in the State of Arizona for conduct related to her practice of medicine, having let her
28 license to practice medicine in the State of Arizona expire while incarcerated, and as evidenced by

1 her subsequent application to the Board for a license to practice medicine in the State of Nevada,
2 among other evidence of scienter, Respondent's unlicensed practice of medicine in violation of
3 NRS 630.400(1)(d) was knowing and willful.

4 202. By reason of the foregoing, Respondent is subject to discipline by the Board as
5 provided in NRS 630.352.

6 **COUNT XXVIII**

7 **NRS 630.301(4) - Malpractice**

8 203. All of the allegations contained in the above paragraphs are hereby incorporated by
9 reference as though fully set forth herein.

10 204. As demonstrated by, but not limited to, the above-outlined facts, Respondent
11 committed malpractice when she failed to use the reasonable care, skill or knowledge ordinarily
12 used under similar circumstances when rendering medical services to Patient H, by, among other
13 misconduct, knowingly, willfully and feloniously practicing medicine with respect to Patient H
14 without first obtaining a license to practice medicine in the State of Nevada, and by obtaining,
15 without a patient-specific prescription or an order from a licensed practitioner for Patient H,
16 dangerous drugs from Vida Spa's general store of controlled substances and dangerous drugs, and
17 by injecting Versa into the face of Patient H in violation of NRS 454.217, and by treating Patient
18 H without the direct supervision of a licensed physician.

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

21 **COUNT XXIX**

22 **NRS 630.301(9) – Disreputable Conduct**

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

25 207. Respondent engaged in conduct that brings the medical profession into disrepute
26 by, among other misconduct, knowingly, willfully and feloniously practicing medicine with
27 respect to Patient H, by, among other misconduct, knowingly, willfully and feloniously practicing
28 medicine with respect to Patient H without first obtaining a license to practice medicine in the

1 State of Nevada, and by obtaining, without a patient-specific prescription or an order from a
2 licensed practitioner for Patient H, dangerous drugs from Vida Spa’s general store of controlled
3 substances and dangerous drugs, and by injecting Versa into the face of Patient H in violation of
4 NRS 454.217, and by treating Patient H without the direct supervision of a licensed physician.

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

7 **IV. RESPONDENT’S FRAUD IN OBTAINING LICENSURE**

8 **COUNT XXX**

9 **NRS 630.304(1) – Fraud and Misrepresentation in Obtaining a License**

10 209. All of the allegations contained in the above paragraphs are hereby incorporated by
11 reference as though fully set forth herein.

12 210. As demonstrated by, but not limited to, the above-outlined facts, Respondent
13 obtained a license to practice medicine by fraud, misrepresentation and false, misleading,
14 inaccurate and incomplete statements when, on March 6, 2020, in a public meeting of the Board,
15 when the Board was considering her application for licensure as a physician assistant in the State
16 of Nevada, in open session, Respondent informed the Board that she had not practiced clinical
17 medicine since she had been incarcerated, and stated that, though she had secured a job at a
18 medical spa, and planned in the future to perform plastic surgery injections, in-office procedures,
19 excisions, and assisting with different procedures, nevertheless, she had not done so yet and the
20 aforementioned job offer was contingent upon her obtaining a license in Nevada.

21 211. As demonstrated by, but not limited to, the above-outlined facts, Respondent’s
22 statements to the Board on March 6, 2020, were materially false and Respondent knew they were
23 materially false when she made the statements.

24 212. As demonstrated by, but not limited to, the above-outlined facts, Respondent’s
25 statements to the Board on March 6, 2020, were knowing misrepresentations of the truth and made
26 to conceal material facts that would have prevented her from obtaining licensure.

27 213. As demonstrated by, but not limited to, the above-outlined facts, Respondent’s
28 statements to the Board on March 6, 2020, were intentionally misleading, and made to induce the

1 Board to act to the detriment of the public safety by issuing her a license to practice medicine,
2 despite the fact that she had already been knowingly, willingly, feloniously practicing medicine
3 without a license.

4 214. By reason of the foregoing, Respondent is subject to discipline by the Board as
5 provided in NRS 630.352.

6 **V. RESPONDENT'S PERFORMANCE OF MEDICAL SERVICES WITHOUT A**
7 **SUPERVISING PHYSICIAN, ADMINISTRATION OF CONSCIOUS SEDATION**
8 **AT VIDA SPA, AN UNPERMITTED AND UNACCREDITED FACILITY**
9 **PURSUANT TO NRS 449.442, AND RELATED VIOLATIONS OF THE NEVADA**
10 **MEDICAL PRACTICE ACT**

11 **I. Respondent's Treatment of Patient I**

12 215. Patient I was a twenty-nine (29) year-old female at the time of the events at issue.

13 216. At all times relevant to Respondent's treatment of Patient I, the so-called "medical
14 director" of Vida Spa was Salvador Borromeo, III, M.D.

15 217. At all times relevant to Respondent's treatment of Patient I, Respondent did not
16 have a supervising physician, and did not have a supervising physician agreement on file with and
17 accepted by the Board, and was therefore expressly prohibited from performing medical services
18 pursuant to NAC 630.375(2).

19 218. The medical services rendered to Patient I by Respondent did not occur in a life-
20 threatening or emergency situation.

21 219. On June 1, 2020, Respondent, who did not have her own DEA registration and
22 controlled substance license issued by the NSBOP, utilized the prescribing credentials of Salvador
23 Borromeo, III, M.D., to issue prescriptions to Patient I for Oxycodone-acetaminophen (a Schedule
24 II Controlled Substance) 5-325 mg tablets, 12 ct. for 3 days; Alprazolam (a Schedule IV
25 Controlled Substance) 1 mg tablets, 4 ct. for 2 days; Promethazine 25 mg tablets, 10 ct. for 2 days,
26 Sulfameth/Trimethprim 800/160 mg tablets, 20 ct. for 10 days.

27 220. Respondent issued prescriptions for these controlled substances and dangerous
28 drugs by using the pre-printed prescription pad of Salvador Borromeo, III, M.D., which contained
his pre-printed DEA number; the prescription was completed by Respondent, or by a Vida Spa
employee or agent acting at Respondent's direction, with Patient I's name and with the

1 corresponding medications, quantities and doses. Respondent, or a Vida Spa employee or agent
2 acting at Respondent's direction, presented the prescription to Dr. Borromeo, who then signed the
3 prescription with the understanding that the controlled substances and dangerous drugs would then
4 be used by Respondent on Patient I for the purpose of performing an invasive surgical procedure
5 on Patient I.

6 221. The material purpose for prescribing the controlled substances to Patient I was
7 conscious sedation and pain control for an invasive surgical procedure to be performed on
8 Patient I.

9 222. Dr. Borromeo's express purpose in signing the already completed written
10 prescriptions for controlled substances for Patient I was for conscious sedation and pain control
11 for invasive surgical procedure to be performed on Patient I.

12 223. The written prescription issued for Patient I in this manner was then presented to
13 Pharmacy Santa Maria, at 3827 E. Sunset Rd, Ste L, Las Vegas, Nevada 89120, which filled the
14 prescription, and the controlled substances and dangerous drugs were then delivered directly to
15 Vida Spa. The controlled substances and dangerous drugs were accepted at Vida Spa by
16 Respondent, or by a Vida Spa employee or agent acting at Respondent's direction, and then
17 administered to Patient I by Respondent, or by a Vida Spa employee or agent supervised directly
18 by Respondent.

19 224. Respondent, a Vida Spa employee or agent acting at Respondent's direction in the
20 Respondent's presence, or Patient I at the direction and in the presence of Respondent, directly
21 administered to Patient I the controlled substances, Alprazolam and Oxycodone-acetaminophen,
22 by ingestion.

23 225. Dr. Borromeo did not see or treat Patient I, and did not direct or supervise
24 Respondent in her treatment of Patient I.

25 226. On June 2, 2020, at Vida Spa, Respondent performed a liposuction procedure on
26 the upper and lower abdomen and arms of Patient I, and a fat grafting procedure to Patient I's
27 breasts. Respondent administered tumescent anesthesia with Lidocaine and Epinephrine to
28 Patient I, which Respondent obtained, without a patient-specific prescription or an order from a

1 licensed practitioner or a practitioner otherwise authorized to perform medical services for
2 Patient I, from a general store of controlled substances and dangerous drugs obtained and
3 maintained by Vida Spa in violation of federal and state law.

4 227. Respondent was not supervised by any licensed physician while performing this
5 invasive surgical procedure on Patient I at Vida Spa.

6 **COUNT XXXI**

7 **NAC 630.380(1)(a) – Performing Medical Services Without A Supervising Physician**

8 228. All of the allegations contained in the above paragraphs are hereby incorporated by
9 reference as though fully set forth herein.

10 229. Respondent performed medical services without the direction and supervision of a
11 supervising physician, and in a non-emergency and non-life-threatening situation, when she
12 treated Patient I on June 1 and 2, 2020.

13 230. By reason of the foregoing, Respondent is subject to discipline by the Board as
14 provided in NRS 630.352.

15 **COUNT XXXII**

16 **NRS 630.301(4) - Malpractice**

17 231. All of the allegations contained in the above paragraphs are hereby incorporated by
18 reference as though fully set forth herein.

19 232. As demonstrated by, but not limited to, the above-outlined facts, Respondent
20 committed malpractice when she failed to use the reasonable care, skill or knowledge ordinarily
21 used under similar circumstances when rendering medical services to Patient I by performing an
22 invasive surgical procedure on Patient I without the direction and supervision of a supervising
23 physician, by administering tumescent anesthesia to Patient I utilizing dangerous drugs from Vida
24 Spa's general store of controlled substances and dangerous drugs used for general administration
25 and dispensing to patients without a patient-specific prescription or an order from a licensed
26 practitioner or a practitioner otherwise authorized to perform medical services for Patient I, by
27 administering or directly supervising the administration of conscious sedation to Patient I, which
28 is a violation of NRS 630.373 and an apparent violation by Vida Spa of NRS 449.442(1)-(2).

1 administration of conscious sedation to Patient I, which is a violation of NRS 630.373 and an
2 apparent violation by Vida Spa of NRS 449.442(1)-(2).

3 239. By reason of the foregoing, Respondent is subject to discipline by the Board as
4 provided in NRS 630.352.

5 **J. Respondent's Treatment of Patient J**

6 240. Patient J was a forty (40) year-old female at the time of the events at issue.

7 241. At all times relevant to Respondent's treatment of Patient J, the so-called "medical
8 director" of Vida Spa was Salvador Borromeo, III, M.D.

9 242. At all times relevant to Respondent's treatment of Patient J, Respondent did not
10 have a supervising physician, and did not have a supervising physician agreement on file with and
11 accepted by the Board, and was therefore expressly prohibited from performing medical services
12 pursuant to NAC 630.375(2).

13 243. The medical services rendered to Patient J by Respondent did not occur in a life-
14 threatening or emergency situation.

15 244. On June 2, 2020, Respondent, who did not have her own DEA registration and
16 controlled substance license issued by the NSBOP, utilized the prescribing credentials of Salvador
17 Borromeo, III, M.D., to issue prescriptions to Patient J for Oxycodone-acetaminophen (a Schedule
18 II Controlled Substance) 5-325 mg tablets, 12 ct. for 3 days; Alprazolam (a Schedule IV
19 Controlled Substance) 1 mg tablets, 4 ct. for 2 days; Promethazine 25 mg tablets, 10 ct. for 2 days,
20 Sulfameth/Trimethprim 800/160 mg tablets, 20 ct. for 10 days.

21 245. Respondent issued prescriptions for these controlled substances and dangerous
22 drugs by using the pre-printed prescription pad of Salvador Borromeo, III, M.D., which contained
23 his pre-printed DEA number; the prescription was completed by Respondent, or by a Vida Spa
24 employee or agent acting at Respondent's direction, with Patient J's name and with the
25 corresponding medications, quantities and doses. Respondent, or a Vida Spa employee or agent
26 acting at Respondent's direction, presented the prescription to Dr. Borromeo, who then signed the
27 prescription with the understanding that the controlled substances and dangerous drugs

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1 would then be used by Respondent on Patient J for the purpose of performing an invasive surgical
2 procedure on Patient J.

3 246. The material purpose for prescribing the controlled substances to Patient J was
4 conscious sedation and pain control for an invasive surgical procedure to be performed on
5 Patient J.

6 247. Dr. Borromeo's express purpose in signing the already completed written
7 prescriptions for controlled substances for Patient J was for conscious sedation and pain control
8 for invasive surgical procedure to be performed on Patient J.

9 248. The written prescription issued for Patient J in this manner was then presented to
10 Pharmacy Santa Maria, at 3827 E. Sunset Rd, Ste L, Las Vegas, Nevada 89120, which filled the
11 prescription, and the controlled substances and dangerous drugs were then delivered directly to
12 Vida Spa. The controlled substances and dangerous drugs were accepted at Vida Spa by
13 Respondent, or by a Vida Spa employee or agent acting at Respondent's direction, and then
14 administered to Patient J by Respondent, or by a Vida Spa employee or agent supervised directly
15 by Respondent.

16 249. Respondent, a Vida Spa employee or agent acting at Respondent's direction in the
17 Respondent's presence, or Patient J at the direction and in the presence of Respondent, directly
18 administered to Patient J the controlled substances, Alprazolam and Oxycodone-acetaminophen,
19 by ingestion.

20 250. Dr. Borromeo did not see or treat Patient J, and did not direct or supervise
21 Respondent in her treatment of Patient J.

22 251. On June 3, 2020, at Vida Spa, Respondent performed a liposuction procedure on
23 Patient J. Respondent administered tumescent anesthesia with Lidocaine and Epinephrine to
24 Patient J, which Respondent obtained, without a patient-specific prescription or an order from a
25 licensed practitioner or a practitioner otherwise authorized to perform medical services for
26 Patient J, from a general store of controlled substances and dangerous drugs obtained and
27 maintained by Vida Spa in violation of federal and state law.

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COUNT XXXVII

NRS 630.306(1)(o) – Administration of Conscious Sedation at an Unaccredited and Unpermitted Facility

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

260. As demonstrated by, but not limited to, the above-outlined facts, Respondent failed to comply with NRS 630.373 when rendering medical services to Patient J, by, among other misconduct, administering and/or supervising directly the administration of conscious sedation to Patient J for an invasive surgical procedure that Respondent performed on Patient J at Vida Spa, which is not the office of a physician or osteopathic physician which holds a permit pursuant to NRS 449.435 to 449.448, inclusive, not a facility which holds a permit pursuant to NRS 449.435 to 449.448, inclusive, and not a medical facility as that term is defined in NRS 449.0151, and which is located inside the State of Nevada.

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

COUNT XXXVIII

NRS 630.301(9) – Disreputable Conduct

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

263. Respondent engaged in conduct that brings the medical profession into disrepute by, among other misconduct, by performing an invasive surgical procedure on Patient J without the direction and supervision of a supervising physician, by administering tumescent anesthesia to Patient J utilizing dangerous drugs from Vida Spa’s general store of controlled substances and dangerous drugs used for general administration and dispensing to patients without a patient-specific prescription or an order from a licensed practitioner or a practitioner otherwise authorized to perform medical services for Patient J, by administering or directly supervising the administration of conscious sedation to Patient J, which is a violation of NRS 630.373 and an apparent violation by Vida Spa of NRS 449.442(1)-(2).

1 264. By reason of the foregoing, Respondent is subject to discipline by the Board as
2 provided in NRS 630.352.

3 **K. Respondent's Treatment of Patient K**

4 265. Patient K was a thirty-five (35) year-old female at the time of the events at issue.

5 266. At all times relevant to Respondent's treatment of Patient K, the so-called "medical
6 director" of Vida Spa was Salvador Borromeo, III, M.D.

7 267. At all times relevant to Respondent's treatment of Patient K, Respondent did not
8 have a supervising physician, and did not have a supervising physician agreement on file with and
9 accepted by the Board, and was therefore expressly prohibited from performing medical services
10 pursuant to NAC 630.375(2).

11 268. The medical services rendered to Patient K by Respondent did not occur in a life-
12 threatening or emergency situation.

13 269. On June 3, 2020, Respondent, who did not have her own DEA registration and
14 controlled substance license issued by the NSBOP, utilized the prescribing credentials of Salvador
15 Borromeo, III, M.D., to issue prescriptions to Patient K for Oxycodone-acetaminophen (a
16 Schedule II Controlled Substance) 5-325 mg tablets, 12 ct. for 3 days; Alprazolam (a Schedule IV
17 Controlled Substance) 1 mg tablets, 4 ct. for 2 days; Promethazine 25 mg tablets, 10 ct. for 2 days,
18 Sulfameth/Trimethprim 800/160 mg tablets, 20 ct. for 10 days.

19 270. Respondent issued prescriptions for these controlled substances and dangerous
20 drugs by using the pre-printed prescription pad of Salvador Borromeo, III, M.D., which contained
21 his pre-printed DEA number; the prescription was completed by Respondent, or by a Vida Spa
22 employee or agent acting at Respondent's direction, with Patient K's name and with the
23 corresponding medications, quantities and doses. Respondent, or a Vida Spa employee or agent
24 acting at Respondent's direction, presented the prescription to Dr. Borromeo, who then signed the
25 prescription with the understanding that the controlled substances and dangerous drugs would then
26 be used by Respondent on Patient K for the purpose of performing an invasive surgical procedure
27 on Patient K.

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1 271. The material purpose for prescribing the controlled substances to Patient K was
2 conscious sedation and pain control for an invasive surgical procedure to be performed on
3 Patient K.

4 272. Dr. Borromeo's express purpose in signing the already completed written
5 prescriptions for controlled substances for Patient K was for conscious sedation and pain control
6 for invasive surgical procedure to be performed on Patient K.

7 273. The written prescription issued for Patient K in this manner was then presented to
8 Pharmacy Santa Maria, at 3827 E. Sunset Rd, Ste L, Las Vegas, Nevada 89120, which filled the
9 prescription, and the controlled substances and dangerous drugs were then delivered directly to
10 Vida Spa. The controlled substances and dangerous drugs were accepted at Vida Spa by
11 Respondent, or by a Vida Spa employee or agent acting at Respondent's direction, and then
12 administered to Patient K by Respondent, or by a Vida Spa employee or agent supervised directly
13 by Respondent.

14 274. Respondent, a Vida Spa employee or agent acting at Respondent's direction in the
15 Respondent's presence, or Patient K at the direction and in the presence of Respondent, directly
16 administered to Patient K the controlled substances, Alprazolam and Oxycodone-acetaminophen,
17 by ingestion.

18 275. Dr. Borromeo did not see or treat Patient K, and did not direct or supervise
19 Respondent in her treatment of Patient K.

20 276. On June 4, 2020, at Vida Spa, Respondent performed a liposuction procedure on
21 the upper back and flanks of Patient K. On information and belief, Respondent administered
22 tumescent anesthesia with Lidocaine and Epinephrine to Patient K, which Respondent obtained,
23 without a patient-specific prescription or an order from a licensed practitioner or a practitioner
24 otherwise authorized to perform medical services for Patient K, from a general store of controlled
25 substances and dangerous drugs obtained and maintained by Vida Spa in violation of federal and
26 state law.

27 277. Respondent was not supervised by any licensed physician while performing this
28 invasive surgical procedure on Patient K at Vida Spa.

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COUNT XXXIX

NAC 630.380(1)(a) – Performing Medical Services Without A Supervising Physician

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

279. Respondent performed medical services without the direction and supervision of a supervising physician, and in a non-emergency and non-life-threatening situation, when she treated Patient K on June 3 and 4, 2020.

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

COUNT XL

NRS 630.301(4) - Malpractice

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

282. As demonstrated by, but not limited to, the above-outlined facts, Respondent committed malpractice when she failed to use the reasonable care, skill or knowledge ordinarily used under similar circumstances when rendering medical services to Patient K by performing an invasive surgical procedure on Patient K without the direction and supervision of a supervising physician, by administering tumescent anesthesia to Patient K utilizing dangerous drugs from Vida Spa’s general store of controlled substances and dangerous drugs used for general administration and dispensing to patients without a patient-specific prescription or an order from a licensed practitioner or a practitioner otherwise authorized to perform medical services for Patient K, by administering or directly supervising the administration of conscious sedation to Patient K, which is a violation of NRS 630.373 and an apparent violation by Vida Spa of NRS 449.442(1)-(2).

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

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1 COUNT XLI

2 **NRS 630.306(1)(o) – Administration of Conscious Sedation at an Unaccredited and**
3 **Unpermitted Facility**

4 284. All of the allegations contained in the above paragraphs are hereby incorporated by
5 reference as though fully set forth herein.

6 285. As demonstrated by, but not limited to, the above-outlined facts, Respondent failed
7 to comply with NRS 630.373 when rendering medical services to Patient K, by, among other
8 misconduct, administering and/or supervising directly the administration of conscious sedation to
9 Patient K for an invasive surgical procedure that Respondent performed on Patient K at Vida Spa,
10 which is not the office of a physician or osteopathic physician which holds a permit pursuant to
11 NRS 449.435 to 449.448, inclusive, not a facility which holds a permit pursuant to NRS 449.435
12 to 449.448, inclusive, and not a medical facility as that term is defined in NRS 449.0151, and
13 which is located inside the State of Nevada.

14 286. By reason of the foregoing, Respondent is subject to discipline by the Board as
15 provided in NRS 630.352.

16 COUNT XLII

17 **NRS 630.301(9) – Disreputable Conduct**

18 287. All of the allegations contained in the above paragraphs are hereby incorporated by
19 reference as though fully set forth herein.

20 288. Respondent engaged in conduct that brings the medical profession into disrepute
21 by, among other misconduct, by performing an invasive surgical procedure on Patient K without
22 the direction and supervision of a supervising physician, by administering tumescent anesthesia to
23 Patient K utilizing dangerous drugs from Vida Spa’s general store of controlled substances and
24 dangerous drugs used for general administration and dispensing to patients without a patient-
25 specific prescription or an order from a licensed practitioner or a practitioner otherwise authorized
26 to perform medical services for Patient K, by administering or directly supervising the
27 administration of conscious sedation to Patient K, which is a violation of NRS 630.373 and an
28 apparent violation by Vida Spa of NRS 449.442(1)-(2).

1 289. By reason of the foregoing, Respondent is subject to discipline by the Board as
2 provided in NRS 630.352.

3 **L. Respondent’s Treatment of Patient L**

4 290. Patient L was a forty (40) year-old female at the time of the events at issue.

5 291. At all times relevant to Respondent’s treatment of Patient L, the so-called “medical
6 director” of Vida Spa was Salvador Borromeo, III, M.D.

7 292. At all times relevant to Respondent’s treatment of Patient L, Respondent did not
8 have a supervising physician, and did not have a supervising physician agreement on file with and
9 accepted by the Board, and was therefore expressly prohibited from performing medical services
10 pursuant to NAC 630.375(2).

11 293. The medical services rendered to Patient L by Respondent did not occur in a life-
12 threatening or emergency situation.

13 294. On June 4, 2020, Respondent, who did not have her own DEA registration and
14 controlled substance license issued by the NSBOP, utilized the prescribing credentials of Salvador
15 Borromeo, III, M.D., to issue prescriptions to Patient L for Oxycodone-acetaminophen (a
16 Schedule II Controlled Substance) 5-325 mg tablets, 12 ct. for 3 days; Alprazolam (a Schedule IV
17 Controlled Substance) 1 mg tablets, 4 ct. for 2 days; Promethazine 25 mg tablets, 10 ct. for 2 days,
18 Sulfameth/Trimethprim 800/160 mg tablets, 20 ct. for 10 days.

19 295. Respondent issued prescriptions for these controlled substances and dangerous
20 drugs by using the pre-printed prescription pad of Salvador Borromeo, III, M.D., which contained
21 his pre-printed DEA number; the prescription was completed by Respondent, or by a Vida Spa
22 employee or agent acting at Respondent’s direction, with Patient L’s name and with the
23 corresponding medications, quantities and doses. Respondent, or a Vida Spa employee or agent
24 acting at Respondent’s direction, presented the prescription to Dr. Borromeo, who then signed the
25 prescription with the understanding that the controlled substances and dangerous drugs would then
26 be used by Respondent on Patient L for the purpose of performing an invasive surgical procedure
27 on Patient L.

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1 296. The material purpose for prescribing the controlled substances to Patient L was
2 conscious sedation and pain control for an invasive surgical procedure to be performed on
3 Patient L.

4 297. Dr. Borromeo's express purpose in signing the already completed written
5 prescriptions for controlled substances for Patient L was for conscious sedation and pain control
6 for invasive surgical procedure to be performed on Patient L.

7 298. The written prescription issued for Patient L in this manner was then presented to
8 Pharmacy Santa Maria, at 3827 E. Sunset Rd, Ste L, Las Vegas, Nevada 89120, which filled the
9 prescription, and the controlled substances and dangerous drugs were then delivered directly to
10 Vida Spa. The controlled substances and dangerous drugs were accepted at Vida Spa by
11 Respondent, or by a Vida Spa employee or agent acting at Respondent's direction, and then
12 administered to Patient L by Respondent, or by a Vida Spa employee or agent supervised directly
13 by Respondent.

14 299. Respondent, a Vida Spa employee or agent acting at Respondent's direction in the
15 Respondent's presence, or Patient L at the direction and in the presence of Respondent, directly
16 administered to Patient L the controlled substances, Alprazolam and Oxycodone-acetaminophen,
17 by ingestion.

18 300. Dr. Borromeo did not see or treat Patient L, and did not direct or supervise
19 Respondent in her treatment of Patient L.

20 301. On June 5, 2020, at Vida Spa, Respondent performed a liposuction procedure on
21 the abdomen, flanks back and "bra straps" of Patient L, and a fat transfer to the buttocks of Patient
22 L. Respondent administered tumescent anesthesia with Lidocaine and Epinephrine to Patient L,
23 which Respondent obtained, without a patient-specific prescription or an order from a licensed
24 practitioner or a practitioner otherwise authorized to perform medical services for Patient L, from
25 a general store of controlled substances and dangerous drugs obtained and maintained by Vida
26 Spa in violation of federal and state law.

27 302. Respondent was not supervised by any licensed physician while performing this
28 invasive surgical procedure on Patient L at Vida Spa.

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COUNT XLIII

NAC 630.380(1)(a) – Performing Medical Services Without A Supervising Physician

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

304. Respondent performed medical services without the direction and supervision of a supervising physician, and in a non-emergency and non-life-threatening situation, when she treated Patient L on June 4 and 5, 2020.

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

COUNT XLIV

NRS 630.301(4) - Malpractice

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

307. As demonstrated by, but not limited to, the above-outlined facts, Respondent committed malpractice when she failed to use the reasonable care, skill or knowledge ordinarily used under similar circumstances when rendering medical services to Patient L by performing an invasive surgical procedure on Patient L without the direction and supervision of a supervising physician, by administering tumescent anesthesia to Patient L utilizing dangerous drugs from Vida Spa’s general store of controlled substances and dangerous drugs used for general administration and dispensing to patients without a patient-specific prescription or an order from a licensed practitioner or a practitioner otherwise authorized to perform medical services for Patient L, by administering or directly supervising the administration of conscious sedation to Patient L, which is a violation of NRS 630.373 and an apparent violation by Vida Spa of NRS 449.442(1)-(2).

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

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COUNT XLV

NRS 630.306(1)(o) – Administration of Conscious Sedation at an Unaccredited and Unpermitted Facility

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

310. As demonstrated by, but not limited to, the above-outlined facts, Respondent failed to comply with NRS 630.373 when rendering medical services to Patient L, by, among other misconduct, administering and/or supervising directly the administration of conscious sedation to Patient L for an invasive surgical procedure that Respondent performed on Patient L at Vida Spa, which is not the office of a physician or osteopathic physician which holds a permit pursuant to NRS 449.435 to 449.448, inclusive, not a facility which holds a permit pursuant to NRS 449.435 to 449.448, inclusive, and not a medical facility as that term is defined in NRS 449.0151, and which is located inside the State of Nevada.

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

COUNT XLVI

NRS 630.301(9) – Disreputable Conduct

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

313. Respondent engaged in conduct that brings the medical profession into disrepute by, among other misconduct, by performing an invasive surgical procedure on Patient L without the direction and supervision of a supervising physician, by administering tumescent anesthesia to Patient L utilizing dangerous drugs from Vida Spa’s general store of controlled substances and dangerous drugs used for general administration and dispensing to patients without a patient-specific prescription or an order from a licensed practitioner or a practitioner otherwise authorized to perform medical services for Patient L, by administering or directly supervising the administration of conscious sedation to Patient L, which is a violation of NRS 630.373 and an apparent violation by Vida Spa of NRS 449.442(1)-(2).

1 314. By reason of the foregoing, Respondent is subject to discipline by the Board as
2 provided in NRS 630.352.

3 **V. RESPONDENT'S CONTINUAL FAILURE TO ENGAGE IN THE PRACTICE OF**
4 **MEDICINE IN A PROFESSIONAL MANNER**

5 **COUNT XLVII**

6 **NRS 630.306(1)(g) – Continual Failure to Practice Medicine Properly**

7 315. All of the allegations contained in the above paragraphs are hereby incorporated by
8 reference as though fully set forth herein.

9 316. As demonstrated by, but not limited to, the above-outlined facts, by abundantly and
10 abidingly demonstrating through numerous, repeated, knowing, willful and criminal failures, both
11 before and after her licensure in this state, by engaging in the unlicensed practice of medicine,
12 committing malpractice, violating state and federal laws pertaining to the proper handling,
13 prescription and administration of dangerous drugs and controlled substances, performing medical
14 services without a supervising physician, and obtaining licensure in this state by fraud and
15 misrepresentation, among other serious violations, Respondent has continually failed to exercise
16 the skill and diligence and use the methods ordinarily exercised under the same circumstances by
17 physicians in good standing practicing in the same specialty or field.

18 317. Respondent's conduct, considered in its entirety, is extraordinarily and persistently
19 unprofessional in character.

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

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

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

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

28 ///

OFFICE OF THE GENERAL COUNSEL

Nevada State Board of Medical Examiners
9600 Gateway Drive
Reno, Nevada 89521
(775) 688-2559

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

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


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

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

9 DATED this 24th day of June, 2021.

10 INVESTIGATIVE COMMITTEE OF THE
11 NEVADA STATE BOARD OF MEDICAL EXAMINERS

12 By: _____


13 AARON B. FRICKE, J.D.
14 General Counsel
15 9600 Gateway Drive
16 Reno, NV 89521
17 Tel: (775) 688-2559
18 Email: africke@medboard.nv.gov
19 *Attorney for the Investigative Committee*

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VERIFICATION

STATE OF NEVADA)
 : ss.
COUNTY OF CLARK)

Victor M. Muro, 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 25th day of June, 2021.

INVESTIGATIVE COMMITTEE OF THE
NEVADA STATE BOARD OF MEDICAL EXAMINERS

By: *U M Muro*
VICTOR M. MURO, M.D.
Chairman 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 28th day of June, 2021, I served a file-stamped copy of the **COMPLAINT** and the **PATIENT DESIGNATION** filed in this matter, via personal service, U.S. Certified Mail, and Fed Ex, to the following parties:

TAMMY LYNN KANKINS, PA-C
3753 Cherry Tree Blvd.
Lake Havasu City, AZ 86406

**Certified Mailing No.:* 9171 9690 0935 0255 6175 48
**Fed Ex Tracking:* 7741 2012 6075

DATED this 28th day of June, 2021.



MERCEDES PUENTES
Legal Assistant
Nevada State Board of Medical Examiners

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Nevada State Board of Medical Examiners
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BEFORE THE BOARD OF MEDICAL EXAMINERS
OF THE STATE OF NEVADA

* * * * *

In the Matter of Charges and Complaint
Against:
TAMMY LYNN HANKINS, PA-C,
Respondent.

Case No. 21-51633-1

FILED
JUL - 1 2021
NEVADA STATE BOARD OF
MEDICAL EXAMINERS
By: 

NOTICE OF ERRATA TO COMPLAINT

The Investigative Committee of the Nevada State Board of Medical Examiners hereby submits the following corrections to its Complaint in Case No. 21-51633-1, filed June 25, 2021, which shall be appended thereto:

1. Beginning on page 34, following paragraph 195, the Counts enumerated thereafter shall start with Count XXXI, and continue through to the last Count, LII.
2. In Counts I, V, IX, XIII, XVII, XXIII, XXVIII and XXXII, as corrected by this Errata, the citation in each heading shall be to NRS 630.400(1)(d).
3. In Counts XXXVI, XL, XLIV, XLVIII, as corrected by this Errata, the citation in each heading shall be to NRS 630.380(1)(c). Likewise, in paragraph 24, the citation shall be to NRS 630.380(1)(c).

DATED, July 1, 2021.

INVESTIGATIVE COMMITTEE OF THE
NEVADA STATE BOARD OF MEDICAL EXAMINERS

By: 
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