

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

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

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

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

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

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

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

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

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

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

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

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

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

16 16. Performing any duties as the holder of a controlled substance registration or a
17 dispensing practitioner registration in an incompetent, unskillful or negligent manner constitutes
18 unprofessional conduct or conduct contrary to the public interest pursuant to NAC 639.945(1)(i)
19 and is grounds for suspension or revocation of any license or registration issued by the Pharmacy
20 Board. *See* NRS 639.210(4).

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

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

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

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

8 **COUNT I**

9 **NAC 630.230(1)(i) – Failure to Provide Adequate Supervision of a Physician Assistant**

10 1. All of the allegations in the above paragraphs are hereby incorporated as if fully set
11 forth herein.

12 2. Pursuant to NAC 630.230(1)(i), it is a standard of practice that a physician shall
13 not fail to provide adequate supervision of a physician assistant.

14 3. Pursuant to NRS 630.301(1)(b)(2), engaging in any conduct which the Board has
15 determined is a violation of the standards of practice established by regulation of the Board is
16 grounds for initiating disciplinary action or denying licensure.

17 4. Demonstrated by but not limited to the conduct described herein, Respondent failed
18 to provide adequate supervision of his physician assistant, Webb.

19 5. By reason of the foregoing, Respondent is subject to discipline by the Nevada State
20 Board of Medical Examiners as provided in NRS 630.352.

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

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

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

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

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VERIFICATION

STATE OF NEVADA)
 : ss.
COUNTY OF WASHOE)

Bret W. Frey, M.D., having been duly sworn, hereby deposes and states under penalty of perjury that he is the Chairman of the Investigative Committee of the Nevada State Board of Medical Examiners that authorized the Complaint against the Respondent herein; that he has read the foregoing Complaint; and that based upon information discovered in the course of the investigation into a complaint against Respondent, he believes that the allegations and charges in the foregoing Complaint against Respondent are true, accurate and correct.

DATED this 3 day of November, 2021.

INVESTIGATIVE COMMITTEE OF THE
NEVADA STATE BOARD OF MEDICAL EXAMINERS

By: 

BRET W. FREY, M.D.
Chairman of the Investigative Committee