

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

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5 **In the Matter of Investigation of:**  
6 **MARYANNE DEFOREST PHILLIPS, M.D.,**  
7 **License No. 7635.**

Case No. 21-10032-1

**FILED**

**JUN 28 2021**

NEVADA STATE BOARD OF  
MEDICAL EXAMINERS

8  
9 **ORDER OF SUMMARY SUSPENSION**

10 The Investigative Committee<sup>1</sup> (IC) of the Nevada State Board of Medical Examiners (Board)  
11 hereby **IMMEDIATELY SUMMARILY SUSPENDS** the license of Maryanne D. Phillips, M.D.,  
12 License No. 7635 (Licensee) from the practice of medicine, pursuant to the IC's authority provided  
13 in NRS 630.326(1). The IC has reasonably determined that the health, safety and welfare of the  
14 public and patients served by Licensee are at risk of imminent and continued harm, based upon the  
15 following preliminary findings:

16 1. Licensee is a physician licensed to practice medicine in the State of Nevada  
17 (License No. 7635) and was originally licensed on December 21, 1995.

18 2. Licensee does not hold a Drug Enforcement Administration (DEA) registration or  
19 any registration issued by the Nevada State Board of Pharmacy (NSBOP).

20 3. Vida Spa LLC, is a Nevada limited liability company, formed on  
21 July 22, 2016, and managed by Gisselle Platfoot, also doing business as "Vida Spa" and  
22 "Vita Medical Spa Las Vegas." Vida Spa is a self-described "medical spa" located at  
23 3225 S Rainbow Blvd #107 and/or #206, Las Vegas, Nevada 89146. (Collectively, "Vida Spa").

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

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28 <sup>1</sup> The Investigative Committee of the Nevada State Board of Medical Examiners is composed of Board members Victor M. Muro, M.D., Chair, Weldon Havins, M.D., J.D., and Maggie Arias-Petrel, Public Member.

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1           5.       Gisselle Platfoot, Manager of Vida Spa, did not, at all times relevant to this Order,  
2 hold a license to practice any healing art as a “provider of health care,” defined in  
3 NRS 629.031, from any occupational licensing board in the State of Nevada.

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

10          7.       On March 24, 2021, the NSBOP issued two (2) separate Citations and Orders to  
11 Cease and Desist, to Licensee, Vida Spa and Gisselle Platfoot, respectively, whereby the NSBOP  
12 separately determined that Licensee, Vida Spa and Gisselle Platfoot were possessing,  
13 administering, prescribing and/or dispensing controlled substances and/or dangerous drugs for  
14 Nevada patients from Vida Spa LLC in violation of state and federal law.

15          8.       The NSBOP’s Citation to Licensee provides that Licensee is possessing,  
16 administering, prescribing and/or dispensing controlled substances and dangerous drugs for  
17 Nevada patients from her practice in violation of federal and state law. Specifically, this citation  
18 notes that her controlled substance registration was suspended, and that she is prohibited from  
19 possessing and/or administering controlled substances. The NSBOP determined in this citation  
20 that Licensee has violated, attempted to violate, assisted or abetted in the violation of or conspired  
21 to violate, without limitation, NRS 453.226, NRS 453.316, NRS 453.321(l)(a),  
22 NRS 453.331(l)(c)(d)(f)&(i), NRS 453.381(1), NRS 453.401(l)(a), NRS 639.100(1),  
23 NRS 639.23505, NRS 639.281, NRS 639.2813, NRS 639.310, 21 U.S.C. § 822(a)(2),  
24 21 U.S.C. § 823(f), 21 U.S.C. § 841(a), 21 U.S.C. § 842(a), 21 U.S.C. § 846 and  
25 21 CFR §§ 1306.03-1306.05. The Citation orders her to immediately CEASE and DESIST  
26 possessing, administering, prescribing and/or dispensing controlled substances for Nevada patients  
27 from her practice, and assesses an administrative fine of five thousand dollars (\$5,000.00).

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1           9.       The NSBOP Citation to Vida Spa and Gisselle Platfoot similarly states that Vida  
2 Spa and Gisselle Platfoot do not have a dispensing registration and are therefore prohibited from  
3 possessing, dispensing and/or administering controlled substances and/or dangerous drugs. This  
4 citation finds that Vida Spa and Gisselle Platfoot violated, attempted to violate, assisted or abetted  
5 in the violation of or conspired to violate, without limitation, NRS 453.226, NRS 453.316,  
6 NRS 453.321(1)(a), NRS 453.331 (l)(c)(d)(t)&(i), NRS 453.381(1), NRS 453.401(l)(a),  
7 NRS 639.0727, NRS 639.100(1), NRS 639.23505, NRS 639.281, NRS 639.2813, NRS 639.310,  
8 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),  
9 21 U.S.C. § 846 and 21 CFR §§ 1306.03-1306.05. This citation orders Vida Spa and Gisselle  
10 Platfoot to immediately cease and desist possessing, administering, prescribing and/or dispensing  
11 controlled substances for Nevada patients, and also assessed an administrative fine of five  
12 thousand dollars (\$5,000.00).

13           10.       In addition to the violations of various state and federal laws pertaining to the  
14 possessing, dispensing and/or administering controlled substances and/or dangerous drugs that are  
15 the subject of the NSBOP citations, between the dates of on or about April 13, 2021, to on or  
16 about June 23, 2021, Licensee performed invasive surgical procedures, such as liposuction and fat  
17 grafting, at Vida Spa. As stated above, Vida Spa is not an accredited surgical facility and does not  
18 have a permit and has never obtained a permit from the BOH to offer the service of general  
19 anesthesia, conscious sedation or deep sedation to patients, pursuant to NRS 449.442(1).

20           11.       Between, on or about April 13, 2021 and on or about June 23, 2021, Licensee  
21 administered Propofol for the purposes of general anesthesia, conscious sedation or deep sedation  
22 for the aforementioned invasive surgical procedures, at least seventy-two (72) times to at least  
23 seventy-two (72) individual patients, all in violation of NRS 630.373, which provides in pertinent  
24 part, in the State of Nevada a physician shall not administer or supervise directly the  
25 administration of general anesthesia, conscious sedation or deep sedation to patients unless the  
26 general anesthesia, conscious sedation or deep sedation is administered:

27           a.       In an office of a physician or osteopathic physician which holds a permit  
28 pursuant to NRS 449.435 to 449.448, inclusive;

1           b.     In a facility which holds a permit pursuant to NRS 449.435 to 449.448,  
2 inclusive; and

3           c.     In a medical facility as that term is defined in NRS 449.0151.

4 Neither Vida Spa nor its proprietors hold any such permits issued by the BOH, and Vida Spa is  
5 not a medical facility as defined by NRS 449.0151.

6           12.    Licensee claimed in her written response, dated May 19, 2021, to an allegation  
7 letter in this case that she “does not perform liposuction procedures at Vida Spa and never has,”  
8 and that “no conscious sedation has been utilized at Vida Spa since June 2020; only tumescent  
9 local anesthesia is being used at this time.”

10          13.    Propofol is a “dangerous drug,” as defined by NRS 454.201, because it is a drug,  
11 other than a controlled substance, which is unsafe for self-medication or unsupervised use, and  
12 may be sold only by prescription.

13          14.    Licensee administered Propofol at Vida Spa for the purpose of general anesthesia,  
14 conscious sedation or deep sedation for invasive surgical procedures that she performed on these  
15 seventy-two (72) individual patients, beginning in, at the latest, April 13, 2021, and then falsified  
16 her medical records for all of the patients to reflect that she had not administered Propofol, in  
17 order to conceal the fact that Propofol was being administered for the purpose of general  
18 anesthesia, conscious sedation or deep sedation at an unpermitted and unaccredited facility, in  
19 violation of NRS 630.373.

20          15.    Licensee, in an effort to conceal her illegal conduct, violated NRS 630.3062(1)(a),  
21 which provides that it is grounds for disciplinary action or denial of licensure to fail to maintain  
22 timely, legible, accurate and complete medical records relating to the diagnosis, treatment and  
23 care of a patient, in each of the seventy-two (72) instances.

24          16.    Licensee, in an effort to conceal her illegal conduct, violated standards of practice,  
25 pursuant to NRS 630.306(1)(b)(2) and NAC 630.230(1)(a), by falsifying her records of health  
26 care, which is grounds for disciplinary action or denial of licensure in each of the seventy-two (72)  
27 instances.

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17. Licensee violated NRS 630.306(1)(p), which provides that engaging in any act that is considered unsafe or unprofessional conduct, in accordance with regulations adopted by the Board, constitutes grounds for initiating disciplinary action, when she falsified medical records for the purpose of concealing the use of Propofol for general anesthesia, conscious sedation or deep sedation at Vida Spa, an unpermitted and unaccredited facility in violation of NRS 630.373(1), which is unsafe and unprofessional conduct, in each of the seventy-two (72) instances.

18. On June 25, 2021, this IC has reasonably determined that the health, safety, or welfare of the public and any patient served by Licensee is at risk of imminent and continued harm.


Accordingly, pursuant to NRS 630.326(1):

**IT IS HEREBY ORDERED** that the license to practice medicine in the State of Nevada of Maryanne D. Phillips, M.D. (License No. 7635) is **HEREBY SUSPENDED** until further order of the IC or the Board; and

**IT IS HEREBY FURTHER ORDERED** that pursuant to NRS 630.326(2), a hearing on this matter shall be set for August 18, 2021, 9:00 a.m., at the Board's office located at 9600 Gateway Drive, Reno, NV, 89521 to determine whether this suspension may continue, unless the parties mutually agree in writing to a different date and/or time.

DATED this 28<sup>th</sup> day of June, 2021.

INVESTIGATIVE COMMITTEE OF THE  
NEVADA STATE BOARD OF MEDICAL EXAMINERS

By:   
VICTOR M. MURO, M.D.  
*Chairman for the Investigative Committee*