


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**
6 **Against:**
7 **BYRON LEONARD PERKINSON, M.D.,**
8 **Respondent.**

Case No. 22-39567-1

FILED
FEB - 7 2022
NEVADA STATE BOARD OF
MEDICAL EXAMINERS
By: 

10 **COMPLAINT**

11 The Investigative Committee¹ (IC) of the Nevada State Board of Medical Examiners
12 (Board), by and through Brandee Mooneyhan, J.D., Deputy General Counsel and attorney for the
13 IC, having a reasonable basis to believe that Byron Leonard Perkinson, M.D., (Respondent) violated
14 the provisions of Nevada Revised Statutes (NRS) Chapter 630 and Nevada Administrative Code
15 (NAC) Chapter 630 (collectively, the Medical Practice Act), hereby issues its Complaint, stating the
16 IC's charges and allegations as follows:

17 1. Respondent was at all times relative to this Complaint a medical doctor holding an
18 active license to practice medicine in the State of Nevada (License No. 14297). Respondent was
19 originally licensed by the Board on March 28, 2012.

20 2. Patient A² was a forty-four (44) year-old male when he established care with
21 Respondent in March 2013.

22 3. From January 2014 through February 2017, Respondent wrote approximately
23 twenty-eight (28) prescriptions to Patient A for methadone, an extended-release, long-action
24 opioid categorized as a Schedule II controlled substance. *See* NAC 453.520(3).

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27 ¹ The Investigative Committee of the Nevada State Board of Medical Examiners, at the time this formal
28 Complaint was authorized for filing, was composed of Board members Rachakonda D. Prabhu, M.D.,
Victor M. Muro, M.D., and Ms. Sandy Peltyn.

² Patient A's true identity is not disclosed herein to protect the patient's privacy, but is disclosed in the
Patient Designation served upon Respondent along with a copy of this Complaint.

1 4. Respondent's prescriptions of methadone to Patient A were subject to the standards
2 set forth in the *Model Policy on the Use of Opioid Analgesics in the Treatment of Chronic Pain*,
3 July 2013 (Model Policy). See NAC 630.187 (adopting the Model Policy by reference);
4 NAC 630.230(1)(k) (providing that a physician shall not write prescriptions for controlled
5 substances to treat acute or chronic pain in a manner that deviates from the policies adopted by
6 reference in NRS 630.187).

7 5. Respondent failed to document that his prescriptions of methadone to Patient A
8 complied with the Model Policy, including that he failed to document: (1) completion of an
9 appropriately detailed evaluation prior to prescribing methadone; (2) that he considered
10 alternatives before prescribing methadone; (3) any assessment of Patient A's risk for medication
11 misuse or abuse; (4) that he discussed with Patient A the risks and benefits of opioid therapy and
12 potential for addiction; (5) that he investigated or confirmed Patient A's other current and past
13 treatments for pain; (6) the effect of pain on Patient A's physical or psychological functioning; (7)
14 that he established goals or treatment plans for Patient A's long-term use of methadone; (8) that he
15 established objectives for evaluating the efficacy of Patient A's long-term use of methadone; or
16 (9) that he conducted periodic or random drug testing of Patient A.

17 6. Respondent also failed to document that he consulted the Nevada Prescription
18 Monitoring Program (PMP) to ascertain if Patient A was being prescribed opioids by another
19 prescriber, as required by NRS 639.23507.

20 7. More than once, Respondent prescribed high doses of methadone to Patient A over
21 a significant period without documenting an intervening examination or interaction with
22 Patient A. For example, between February 2014 and February 2015, Respondent wrote at least
23 nine (9) prescriptions to Patient A, each consisting of seven hundred twenty (720) tablets of 10 mg
24 methadone, without any documentation that he saw Patient A in his office. Thus, during this
25 interval of more than a year, Respondent prescribed six thousand four hundred eighty (6,480)
26 tablets of methadone to Patient A without documenting an intervening doctor-patient meeting,
27 evaluation of the effects of methadone on the patient and any corresponding adjustments, drug
28 testing of Patient A, or consultation of the PMP.

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

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

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

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

DATED this 7th day of February, 2022.

INVESTIGATIVE COMMITTEE OF THE
NEVADA STATE BOARD OF MEDICAL EXAMINERS

By: Brandee Mooneyhan
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Attorney for the Investigative Committee

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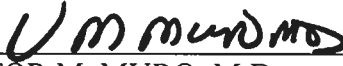
VERIFICATION

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 7 day of February, 2022.

INVESTIGATIVE COMMITTEE OF THE
NEVADA STATE BOARD OF MEDICAL EXAMINERS

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