BEFORE THE BOARD OF MEDICAL EXAMINERS OF THE STATE OF NEVADA

* * * * *

In the Matter of Charges and Complaint

Against:

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DAVID ARI LAPIDES, M.D.,

Respondent.

Case No. 22-53598-1

FILED

OCT 2 6 2022

NEVADA STATE BOARD OF MEDICAL EXAMINERS

COMPLAINT

The Investigative Committee¹ (IC) of the Nevada State Board of Medical Examiners (Board), by and through Donald K. White, J.D., Senior Deputy General Counsel and attorney for the IC, having a reasonable basis to believe that David Ari Lapides, M.D. (Respondent) violated the provisions of Nevada Revised Statutes (NRS) Chapter 630 and Nevada Administrative Code (NAC) Chapter 630 (collectively, the Medical Practice Act), hereby issues its Complaint, stating the IC's charges and allegations as follows:

Respondent was at all times relative to this Complaint a medical doctor holding an 1. active license to practice medicine in the State of Nevada (License No. 20475). Respondent was originally licensed by the Board on October 28, 2020.

Respondent's Criminal Conduct

- Respondent was arrested on July 22, 2021, for possession of child pornography for 2. an offense committed on March 29, 2021.
- Respondent was arraigned and plead guilty to violating the Criminal Code of 3. Virginia § 18.2-374.1:1 - Possession, reproduction, distribution, solicitation, and facilitation of child pornography on January 18, 2022.

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¹ The Investigative Committee of the Nevada State Board of Medical Examiners, at the time this formal Complaint was authorized for filing, was composed of Board members Victor M. Muro, M.D., Chowdhury H. Ahsan, M.D., Ph.D., FACC, and Ms. Pamela J. Beal.

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4. Respondent was sentenced on September 20, 2022, to five (5) years in prison with three (3) years and ten (10) months of that prison sentence suspended to run consecutively to another unknown conviction. Respondent was sentenced to and convicted of violating the Criminal Code of Virginia § 18.2-374.1:1 - Possession, reproduction, distribution, solicitation, and facilitation of child pornography.

COUNT I

NRS 630.301(11)(d) - Conviction of a Sexually Related Crime

- 5. All of the allegations contained in the above paragraphs are hereby incorporated by reference as though fully set forth herein.
- NRS 630.301(11)(d) provides that conviction of a sexually related crime 6. constitutes grounds for initiating disciplinary action against a licensee.
- 7. As demonstrated by, but not limited to, the above-outlined facts, Respondent was convicted of a sexually related crime by the Commonwealth of Virginia on September 20, 2022, when he was sentenced to and convicted of violating the Criminal Code of Virginia § 18.2-374.1:1 – Possession, reproduction, distribution, solicitation, and facilitation of child pornography.
- 8. By reason of the foregoing, Respondent is subject to discipline by the Board as provided in NRS 630.352.

COUNT II

NRS 630.301(9) - Engaging in Conduct That Brings the Medical Profession Into Disrepute

- All of the allegations contained in the above paragraphs are hereby incorporated by 9. reference as though fully set forth herein.
- 10. NRS 630.301(9) provides that engaging in conduct that brings the medical profession into disrepute is grounds for initiating disciplinary action against a licensee.
- Respondent engaged in conduct that brings the medical profession into disrepute by 11. committing the act of and then being sentenced to and convicted of violating the Criminal Code of Virginia § 18.2-374.1:1 – Possession, reproduction, distribution, solicitation, and facilitation of child pornography.

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By reason of the foregoing, Respondent is subject to discipline by the Board as 12. provided in NRS 630.352.

COUNT III

NRS 630.301(11)(g) - Conviction of an Offense Involving Moral Turpitude

- All of the allegations contained in the above paragraphs are hereby incorporated by 13. reference as though fully set forth herein.
- NRS 630.301(11)(g) provides that conviction of any offense involving moral 14. turpitude is grounds for initiating disciplinary action or denying licensure.
- 15. Respondent was sentenced to and convicted of violating the Criminal Code of Virginia § 18.2-374.1:1 – Possession, reproduction, distribution, solicitation, and facilitation of child pornography.
- 16. By reason of the foregoing, Respondent is subject to discipline by the Nevada State Board of Medical Examiners as provided in NRS 630.352.

COUNT IV

NRS 630.301(3) - Disciplinary Action by Another Licensing Board

- All of the allegations contained in the above paragraphs are hereby incorporated by 17. reference as though fully set forth herein.
- NRS 630.301(3) provides that any disciplinary action, including, without 18. limitation, the revocation, suspension, modification, or limitation of a license to practice any type of medicine, taken by another state ... or the surrender of the license or discontinuing the practice of medicine while under investigation by any licensing authority is grounds for initiating disciplinary action or denying licensure.
- Respondent was disciplined by the Virginia Department of Health Professionals 19. (VDHP) of the Commonwealth of Virginia when the VDHP issued an Order of Mandatory Suspension dated March 15, 2022.
- By reason of the foregoing, Respondent is subject to discipline by the Nevada 20. Board as provided in NRS 630.352.

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WHEREFORE, the Investigative Committee prays:

- 1. That the Board give Respondent notice of the charges herein against him and give him notice that he may file an answer to the Complaint herein as set forth in NRS 630.339(2) within twenty (20) days of service of the Complaint;
- 2. That the Board set a time and place for a formal hearing after holding an Early Case Conference pursuant to NRS 630.339(3);
- 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 26th day of October, 2022.

INVESTIGATIVE COMMITTEE OF THE ADA STATE BOARD OF MEDICAL EXAMINERS

By:

DONALD K. WHITE, J.D.

Senior Deputy General Counsel

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Attorney for the Investigative Committee

OFFICE OF THE GENERAL COUNSEL Nevada State Board of Medical Examiners

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VERIFICATION

STATE OF NEVADA		
	: ss.	ĺ
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 26 day of October, 2022.

INVESTIGATIVE COMMITTEE OF THE NEVADA STATE BOARD OF MEDICAL EXAMINERS

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By:

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