

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

* * * * *

In the Matter of Charges and Complaint

Case No. 22-43341-1

Against:

KIM MARIE HIATT, M.D.,

Respondent.

FILED

JAN 20 2022

**NEVADA STATE BOARD OF
MEDICAL EXAMINERS**

By: _____

COMPLAINT

The Investigative Committee¹ (IC) of the Nevada State Board of Medical Examiners (Board), by and through Ian J. Cumings, J.D., Deputy General Counsel and attorney for the IC, having a reasonable basis to believe that Kim Marie Hiatt, 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:

1. Respondent was at all times relative to this Complaint a medical doctor holding an active license to practice medicine in the State of Nevada (License No. 16939). Respondent was originally licensed by the Board on February 10, 2017.

2. On October 20, 2020, the Wyoming Board of Medicine entered a Stipulation for reactivation subject to a reprimand and fine against Respondent. *See Exhibit 1.* The underlying basis for discipline was the Respondent’s failure to timely renew her license which expired on June 30, 2019; whereupon she continued to practice medicine in Wyoming from July 1, 2019 through December 19, 2019, without an active license and treated approximately five hundred (500) patients.

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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 Bret W. Frey, M.D., Aury Nagy, M.D., and Col. Eric D. Wade, USAF (Ret.).

OFFICE OF THE GENERAL COUNSEL
 Nevada State Board of Medical Examiners
 9600 Gateway Drive
 Reno, Nevada 89521
 (775) 688-2559

3. Respondent failed to self-report this disciplinary action to the Nevada State Board of Medical Examiners within thirty (30) days.

COUNT I

NRS 630.301(3) - Disciplinary Action by Another State Medical Board

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

5. NRS 630.301(3) provides that any disciplinary action, including, without limitation, the revocation, suspension, modification or limitation of a license to practice any type of medicine, taken by another state ... [o]r 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.

6. Respondent was disciplined by the Wyoming Medical Board when Respondent failed to renew her medical license and engaged in the practice of medicine without an active license.

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

COUNT II

NRS 630.306(1)(k) - Failure to Report Disciplinary Action

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

9. NRS 630.306(1)(k) provides that the failure by a licensee to report in writing, within thirty (30) days, any disciplinary action taken against the licensee by another state is grounds for initiating disciplinary action or denying licensure.

10. Respondent did not report to the Board in writing within thirty (30) days the disciplinary action taken by the Wyoming Medical Board.

11. By reason of the foregoing, Respondent is subject to discipline by the Nevada 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 her and give him notice that she 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 20 day of January 2022.

INVESTIGATIVE COMMITTEE OF THE
NEVADA STATE BOARD OF MEDICAL EXAMINERS

By: 

IAN J. CUMINGS, J.D.
Deputy General Counsel
9600 Gateway Drive
Reno, NV 89521
Tel: (775) 688-2559
Email: icumings@medboard.nv.gov
Attorney for the Investigative Committee

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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 20th day of January 2022.

INVESTIGATIVE COMMITTEE OF THE
NEVADA STATE BOARD OF MEDICAL EXAMINERS

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

EXHIBIT 1

EXHIBIT 1

FILED

OCT 20 2020

BEFORE THE
WYOMING BOARD OF MEDICINE

Wyoming Board
of Medicine

IN THE REACTIVATION MATTER OF)
Kim Hiatt, M.D., Applicant.)

Docket No. 20-12

**STIPULATION FOR REACTIVATION
OF WYOMING PHYSICIAN LICENSE SUBJECT TO REPRIMAND AND FINE**

COMES NOW, Kim Hiatt, M.D. (Dr. Hiatt), to stipulate and agree with the Wyoming Board of Medicine (Board) as follows:

WHEREAS, the Board is the sole and exclusive regulatory and licensing agency in the State of Wyoming regarding the practice of medicine and surgery, as provided in the Wyoming Medical Practice Act, Wyo. Stat. Ann. §§ 33-26-101, *et seq.* (Act); and

WHEREAS, on August 5, 2016, the Board issued Dr. Hiatt Wyoming Physician License, 10627A; and

WHEREAS, on June 30, 2019, Dr. Hiatt did not renew her Wyoming license and it expired; and

WHEREAS, upon determining that her Wyoming physician license had expired, Dr. Hiatt promptly notified the Executive Director of the Board that she inadvertently allowed her license to expire and of the steps she had taken to ensure this did not occur again in the future; and

~~WHEREAS, on or about January 2, 2020, Dr. Hiatt submitted an application for~~
reactivation of her Wyoming physician license (Application) to the Board; and

WHEREAS, as part of her Application, Dr. Hiatt disclosed that she practiced in

In the Application Matter of Kim Hiatt, M.D. – Docket No. 20-12
**STIPULATION FOR REACTIVATION OF WYOMING MEDICAL LICENSE SUBJECT TO
REPRIMAND AND FINE**

Wyoming without a valid license from July 1 to December 19, 2019, and treated approximately 500 patients; and

WHEREAS, on April 17, 2020, the Board considered Dr. Hiatt's Application; and

WHEREAS, the Board is not aware of any concerns regarding Dr. Hiatt's competency to practice medicine; and

WHEREAS, in lieu of bringing proceedings to deny Dr. Hiatt's Application for unlicensed practice in Wyoming, the Board believes that the public health, safety, and welfare, would be adequately protected if the Board granted Dr. Hiatt's Application and reactivates the physician license of Dr. Hiatt subject to a reprimand and fine set forth herein.

NOW THEREFORE, Dr. Hiatt hereby voluntarily and willingly agrees and stipulates as follows:

1. Dr. Hiatt admits the Board is a duly-authorized administrative agency of the State of Wyoming with the appropriate and sole statutory authority to regulate the practice of medicine and surgery in the State of Wyoming; this STIPULATION is in accordance with the requirements of law; the Board is lawfully constituted to consider this matter; and Dr. Hiatt does not challenge the constitutionality of the Wyoming Medical Practice Act, Wyo. Stat. Ann. §§ 33-26-101, *et seq.*

2. Dr. Hiatt agrees her unlicensed practice of medicine, is cause and basis for the Board, in its sole discretion, to either deny her Application, or to reactivate her ~~medical license subject to a reprimand and fine.~~

3. Dr. Hiatt, in signing this STIPULATION, agrees to a formal reprimand of her license and she will pay a fine in the amount of \$1,250.00, payable to "State of Wyoming."

4. Dr. Hiatt agrees the Board, in acting in this matter, is not acting beyond the jurisdiction conferred on it by any provision of law and by its duly adopted administrative rules.

5. By entering into this STIPULATION, Dr. Hiatt knowingly and voluntarily waives the right to a contested case hearing in this matter for the Board to consider whether to formally deny Dr. Hiatt's Application or impose other sanctions against Dr. Hiatt. This STIPULATION will be presented to the Board for acceptance and reactivation of a medical license subject to a reprimand and fine.

6. This STIPULATION, under which a license is reactivated subject to a reprimand and fine, is a final order of the Board pursuant to Wyo. Stat. Ann. § 33-26-408(c) and as such shall be reported to the Federation of State Medical Boards and to the National Practitioner Data Bank pursuant to the Health Care Quality Improvement Act of 1986, Title IV of Public Law 99-660, as amended, and Federal Regulations at 45 CFR Part 60 and other entities as required by law.

7. Dr. Hiatt acknowledges she has had full opportunity to confer with legal counsel regarding this STIPULATION and matter. Dr. Hiatt understands each of the terms and provisions herein, and represents she is entering into this STIPULATION freely and voluntarily.

8. This STIPULATION constitutes the entire agreement between Dr. Hiatt and the Board. There are no other agreements or understandings between them which are not set forth herein. This STIPULATION may not be modified or amended, except by a writing executed by all parties hereto, and approved by the Board.

9. Upon receipt of this fully-executed STIPULATION and full and complete

payment of the fine of \$1,250.00 in the Board office, the Board will reactivate the medical license of Dr. Hiatt subject to reprimand.

10. Nothing in this STIPULATION shall be construed to deny the Board jurisdiction to investigate any other information regarding Dr. Hiatt's Application that may come to its attention that is unknown at this time or subsequent acts which are unknown to the Board and to take immediate disciplinary action against Dr. Hiatt in the event it discovers additional information regarding the Application, or Dr. Hiatt's statements to the Board in the Application, that may affect Dr. Hiatt's ability to safely and competently practice medicine in the State of Wyoming.

[REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK.

SIGNATURE PAGE FOLLOWS.]

IN WITNESS HEREOF, the following have executed this STIPULATION on the date(s) shown.

WYOMING BOARD OF MEDICINE, by:

Melinda Poyer, D.O., President

Date

ACCEPTED AND AGREED:

Kim Hiatt, M.D.
Kim Hiatt, M.D. (Dr. Hiatt)

10-8-2020
Date

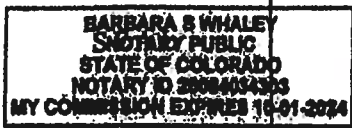
SIGNATURE MUST BE NOTARIZED

County of Lincoln)
 State of Colorado) ss

Subscribed and sworn before me this 8th day of October, 2020, by
 Kim Hiatt, M.D., who is _____ personally known to me/ produced
Colorado Driver License as identification.

Barbara S. Whaley
 Notary Public

My commission expires: 10-01-2024



APPROVED AS TO FORM:

[Signature]
Kara Ellsbury, Esq. - Counsel for Dr. Hiatt

10/8/2020
Date

[Signature]
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Jessica Frint, Esq. - Counsel for the Board

10/15/2020
Date

IN WITNESS HEREOF, the following have executed this STIPULATION on the date(s) shown.

WYOMING BOARD OF MEDICINE, by:

Melinda Poyer, D.O.
Melinda Poyer, D.O., President

10-20-2020
Date

ACCEPTED AND AGREED:

Kim Hiatt, M.D.
Kim Hiatt, M.D. (Dr. Hiatt)

10-8-2020
Date

SIGNATURE MUST BE NOTARIZED

County of Lincoln)
State of Colorado) ss

Subscribed and sworn before me this 8th day of October, 2020, by
Kim Hiatt, M.D., who is personally known to me/ X produced
Colorado Driver License as identification.

Barbara E. Whaley
Notary Public

BARBARA E WHALEY
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20004034203
MY COMMISSION EXPIRES 10-01-2024

My commission expires: 10-01-2024

APPROVED AS TO FORM:

Kara Ellsbury, Esq.
Kara Ellsbury, Esq. - Counsel for Dr. Hiatt

10/8/2020
Date

Jessica Frint, Esq.
Jessica Frint, Esq. - Counsel for the Board

Date

In the Application Matter of Kim Hiatt, M.D. - Docket No. 20-12
STIPULATION FOR REACTIVATION OF WYOMING MEDICAL LICENSE SUBJECT TO
REPRIMAND AND FINE