

1 4. On September 7, 2021, the IC Order was delivered to Respondent's address of
2 record with the Board and was left with an "individual" at 1:26 pm.

3 5. On September 14, 2021, the IC received a letter, dated September 9, 2021, from
4 Respondent, who stated he would only appear telephonically at either 12:00 p.m. (noon) or at
5 3:30 p.m., on November 10, 2021.

6 6. On September 14, 2021, the Deputy Chief of Investigations called Respondent's
7 office and spoke to his office manager. He explained to her that Respondent would not be able to
8 dictate the time of his appearance and he needed to be available at 1:30 p.m., pursuant to the IC
9 Order.

10 7. On September 20, 2021, the investigator assigned to both cases, sent a response
11 letter to Respondent regarding his September 9, 2021, letter, stating that the IC believed
12 Respondent was given enough notice to rearrange his schedule to take a call from the IC on
13 November 10, 2021, at 1:30 p.m. This letter was sent via USPS Certified Mail tracking no.
14 9171969009350252456552 and was left with an individual and delivered on September 23, 2021.

15 8. On October 18, 2021, the IC received a letter from Respondent, dated
16 October 13, 2021, replying to the investigator's letter dated September 20, 2021. Again,
17 Respondent reiterated that he would not be available to answer any questions by the IC at
18 1:30 p.m., but would be available at 12:00 p.m., (noon) or 3:30 p.m., on November 10, 2021.

19 9. On November 10, 2021, Respondent failed to appear telephonically at 1:30 p.m.,
20 before the IC pursuant to the IC Order and subsequent communications from the Board's
21 investigative division staff.

22 **COUNT I**

23 **NRS 630.3065(2)(a)-Failing to Comply with an Order of the Investigative Committee**

24 10. All the allegations contained in the above paragraphs are hereby incorporated by
25 reference as though fully set forth herein.

26 11. NRS 630.3065(2)(a) provides that knowingly or willfully failing to comply with an
27 order of a committee designated by the Board to investigate a complaint against a physician, i.e.,
28 the IC, is grounds for initiating disciplinary action.

