

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

3 * * * * *

4
5 **In the Matter of Charges and Complaint**

Case No. 22-5901-1

6 **Against:**

FILED

7 **ROBERT STEPHEN FREDERICKS, M.D.**

APR 20 2022

8 **Respondent.**

9 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 Aaron Bart Fricke, J.D., General Counsel and attorney for the IC, having a
13 reasonable basis to believe that Robert Stephen Fredericks, M.D., (Respondent) violated the
14 provisions of Nevada Revised Statutes (NRS) Chapter 630 and Nevada Administrative Code (NAC)
15 Chapter 630 (collectively, the Medical Practice Act), hereby issues its Complaint, stating the IC's
16 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. 4014). Respondent was
19 originally licensed by the Board on March 29, 1980.

20 2. NRS 639.23507 provides in pertinent part that a physician shall, before issuing an
21 initial prescription for a controlled substance listed in schedule II, III or IV or an opioid that is a
22 controlled substance listed in schedule V and at least once every 90 days thereafter for the
23 duration of the course of treatment using the controlled substance, obtain a patient utilization
24 report regarding the patient from the computerized program established by the Nevada State
25 Board of Pharmacy and the Investigation Division of the Department of Public Safety pursuant to
26 NRS 453.162 ("Nevada Prescription Monitoring Program").

27
28 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., Rachakonda Prabhu,
M.D., and Ms. Sandy Peltyn.

- 1 3. Pursuant to NRS 639.23507(1)(a)-(b), a practitioner shall:
- 2 (a) Review the patient utilization report; and
- 3 (b) Determine whether the patient has been issued another
- 4 prescription for the same controlled substance that provides for
- 5 ongoing treatment using the controlled substance. If the
- 6 practitioner determines from the patient utilization report or from
- 7 any other source that the patient has been issued such a
- 8 prescription, the practitioner shall not prescribe the controlled
- 9 substance unless the practitioner determines that issuing the
- 10 prescription is medically necessary.
- 11 4. Patient A² was a male in his late sixties and early seventies at the time of the events
- 12 at issue.
- 13 5. During the period of July 31, 2018, through May 21, 2021, a period in excess of
- 14 thirty-three (33) months, Respondent did not obtain a patient utilization report regarding Patient A
- 15 from the Nevada Prescription Monitoring Program.
- 16 6. During this period, Respondent did not review a patient utilization report for
- 17 Patient A from the Nevada Prescription Monitoring Program, and did not determine whether
- 18 Patient A had been issued another prescription for the same controlled substances that provides for
- 19 ongoing treatment using the controlled substance.
- 20 7. During this period, Respondent did not once consider the readily available
- 21 information provided by the Nevada Prescription Monitoring Program regarding the totality of
- 22 controlled substances Patient A was being prescribed by himself and others.
- 23 8. During this period, Respondent issued eighty-five (85) prescriptions for controlled
- 24 substances scheduled II through IV to Patient A, on an approximately monthly basis, consisting
- 25 variously of Clonazepam (schedule IV), Belsomra (IV), Testosterone (III), Lorazepam (IV), and
- 26 Zolpidem (IV).

23 **COUNT I**

24 **NRS 630.3062(1)(h) – Unauthorized and Inappropriate Prescribing of a**

25 **Controlled Substance Listed in Schedule II, III or IV**

26 9. All of the allegations contained in the above paragraphs are hereby incorporated by

27 reference as though fully set forth herein.

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

1 10. NRS 630.3062(1)(h) provides that fraudulent, illegal, unauthorized or otherwise
2 inappropriate prescribing, administering or dispensing of a controlled substance listed in schedule
3 II, III or IV constitutes grounds for initiating disciplinary action or denying licensure.

4 11. As demonstrated by, but not limited to, the above-outlined facts, during the period
5 of July 31, 2018, through May 21, 2021, Respondent issued to Patient A eighty-five (85)
6 prescriptions for controlled substances listed in schedules II through IV.

7 12. Respondent's prescribing to Patient A during this period, without accessing the
8 Nevada Prescription Monitoring Program, without obtaining and personally reviewing Patient A's
9 patient utilization report, and perforce without once considering, for more than thirty-three (33)
10 months, the readily available information provided by the Nevada Prescription Monitoring
11 Program regarding the totality of controlled substances Patient A was being prescribed by himself
12 and others during that period, among other deficiencies, was unauthorized and inappropriate.

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

15 **COUNT II**

16 **NRS 630.3062(1)(g) - Failure to Comply With the Requirements of NRS 639.23507**

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

19 15. NRS 630.3062(1)(g) provides that failure to comply with the requirements of
20 NRS 639.23507, among others, constitutes initiating disciplinary action or denying licensure.

21 16. With respect to his care and treatment of Patient A, Respondent failed to comply
22 with the requirements of NRS 639.23507, specifically, NRS 639.23507(1)(a)-(b).

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

25 **WHEREFORE**, the Investigative Committee prays:

26 1. That the Board give Respondent notice of the charges herein against him and give
27 him notice that he may file an answer to the Complaint herein as set forth in
28 NRS 630.339(2) within twenty (20) days of service of the Complaint;

- 1 2. That the Board set a time and place for a formal hearing after holding an Early
2 Case Conference pursuant to NRS 630.339(3);
3 3. That the Board determine what sanctions to impose if it determines there has been
4 a violation or violations of the Medical Practice Act committed by Respondent;
5 4. That the Board award fees and costs for the investigation and prosecution of this
6 case as outlined in NRS 622.400;
7 5. That the Board make, issue and serve on Respondent its findings of fact,
8 conclusions of law and order, in writing, that includes the sanctions imposed; and
9 6. That the Board take such other and further action as may be just and proper in these
10 premises.

11 DATED this 20th day of April, 2022.

12 INVESTIGATIVE COMMITTEE OF THE
13 NEVADA STATE BOARD OF MEDICAL EXAMINERS

14 By: 

15 AARON BART FRICKE, J.D.

16 General Counsel
17 9600 Gateway Drive
18 Reno, NV 89521

19 Tel: (775) 688-2559

20 Email: africke@medboard.nv.gov

21 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 20 day of April, 2022.

INVESTIGATIVE COMMITTEE OF THE
NEVADA STATE BOARD OF MEDICAL EXAMINERS

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

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

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CERTIFICATE OF SERVICE

I hereby certify that I am employed by the Nevada State Board of Medical Examiners and that on the 20th day of April, 2022, I served a file-stamped copy of the foregoing **COMPLAINT**, as well as required fingerprint waiver, card and instructions, via U.S. Certified Mail, with a courtesy copy by electronic mail, to the following parties:

ROBERT STEPHEN FREDERICKS, M.D.
1495 Ridgeview Drive, Suite #230
Reno, NV 89519
Certified Mail Receipt No.: 9171 9690 0935 0252 5698 40

DATED this 20th day of April, 2022.



MERCEDES FUENTES
Legal Assistant
Nevada State Board of Medical Examiners

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2 **OF THE STATE OF NEVADA**

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**NEVADA STATE BOARD OF
MEDICAL EXAMINERS**

By: 

9
10 **NOTICE OF ERRATA TO COMPLAINT**

11 The Investigative Committee of the Nevada State Board of Medical Examiners hereby
12 submits the following correction to its Complaint in Case No. 22-5901-1, filed April 20, 2022,
13 which shall be appended thereto:

14 1. Footnote number one, found at the bottom of page one of the Complaint, as corrected
15 by this Errata, shall state the following:

16 "The Investigative Committee of the Nevada State Board of Medical Examiners, at the time
17 this formal Complaint was authorized for filing, was composed of Board members Victor M. Muro,
18 M.D. (Chair), Aury Nagy, M.D., and Ms. Maggie Arias-Petrel (Public Member)."

19 DATED this 20th day of April, 2022.

20 INVESTIGATIVE COMMITTEE OF THE
21 NEVADA STATE BOARD OF MEDICAL EXAMINERS

22 By: 

23 AARON BART FRICKE, J.D.

24 General Counsel

25 9600 Gateway Drive

26 Reno, NV 89521

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Attorney for the Investigative Committee

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