

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. 20-28184-1

6 **Against:**

FILED

7 **GREGORY GENE EYRE, M.D.,**

MAR - 8 2022

8 **Respondent.**

**NEVADA STATE BOARD OF
MEDICAL EXAMINERS**
By: 

9
10 **FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER**

11 This case was presented for adjudication and decision before the Nevada State Board of
12 Medical Examiners (Board), during a regularly scheduled Board meeting on March 4, 2022, at
13 8:35 a.m. (Pacific Standard Time), located at 325 E. Warm Springs Road, Suite 225, Las Vegas,
14 NV 89119. Gregory Gene Eyre, M.D., (Respondent) was properly served with a notice of the
15 adjudication, including the date, time, and location. Respondent was not present personally or
16 through an attorney. The adjudicating members of the Board participating in these Findings of
17 Fact, Conclusions of Law and Order were: Victor M. Muro, M.D., Aury Nagy, M.D., Ms. Maggie
18 Arias-Petrel, Ms. Pamela J. Beal, Nicola (Nick) M. Spirtos, M.D., FACOG, and Carl N. Williams,
19 Jr., M.D., FACS. Rosalie M. Bordelove, Esq., Chief Deputy Attorney General, served as legal
20 counsel to the Board.

21 The Board, having received and read the formal Complaint (Complaint) and exhibits
22 admitted at the hearing of this matter, the Hearing Officer's Findings and Recommendations,¹ and
23 the transcript of the hearing, made its decision pursuant to its authority and provisions of the
24 Nevada Revised Statutes (NRS) Chapter 630 and Nevada Administrative Code (NAC) Chapter
25 630 (collectively, the Medical Practice Act), NRS Chapter 622A, and NRS Chapter 233B, as
26 applicable.

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¹ The Hearing Officer's Findings and Recommendations were prepared by Patrick Dolan, Esq., who was appointed as Hearing Officer under NRS 630.106 in this matter and presided over the hearing.

1 The Board, after due consideration of the record, evidence and law, and being fully
2 advised in the premises, makes its FINDINGS OF FACT, CONCLUSIONS OF LAW AND
3 ORDER in this matter, as follows:

4 **FINDINGS OF FACT**

5 **I.**

6 Respondent held a license to practice medicine in the State of Nevada issued by the Board
7 from August 20, 2003, to June 30, 2019.

8 **II.**

9 On June 10, 2020, the Investigative Committee filed its Complaint in
10 Case No. 20-28184-1, alleging Respondent violated the Medical Practice Act. The Complaint was
11 mailed to Respondent by certified mail with return receipt requested at his last known address in
12 South Lake Tahoe, California, and was returned undelivered. Pursuant to NRS 630.344, if a
13 Complaint cannot be served on Respondent personally, or by registered or certified mail with
14 return receipt requested, addressed to the Respondent at his or her last known address, the Board
15 shall cause notice to be published once a week for four (4) consecutive weeks in a newspaper
16 published in the county of the last known address of the licensee or, if no newspaper is published
17 in that county, then in a newspaper widely distributed in that county. Respondent was served with
18 the Complaint by publication in the Tahoe Daily Tribune, a newspaper published at South Lake
19 Tahoe, California, on October 2, 2020, October 9, 2020, October 16, 2020, and October 25, 2020.

20 The Complaint alleges one (1) violation of the Medical Practice Act that constitutes
21 grounds for initiating disciplinary action against a licensee, as follows: one (1) count of
22 NRS 630.301(3), Disciplinary Action by Another State Medical Board.

23 Respondent did not answer or file a response to the allegations set forth in the Complaint.
24 Pursuant to NAC 630.460(4), the allegations of the Complaint are deemed generally denied if an
25 answer is not filed.

26 **III.**

27 An Order Setting Early Case Conference was filed on May 28, 2021, scheduling the Early
28 Case Conference for the pending matter for July 1, 2021, at 11:00 a.m. This Order was mailed via

1 USPS Certified Mail, postage pre-paid, to Respondent's address of record, and returned
2 undelivered. The Order was also mailed via Fed Ex to Respondent's current residential address in
3 Grand Rapids, Michigan.² Respondent signed for this Order on June 20, 2021, at 11:47 a.m.

4 On June 30, 2021, Respondent requested a continuance of the Early Case Conference.³
5 Pursuant to Respondent's request, the Hearing Officer vacated the Early Case Conference set for
6 July 1, 2021, and directed the parties to coordinate regarding a date on which it could be
7 rescheduled. Except for a single email on June 30, 2021, asking about the logistics of the Early
8 Case Conference, Respondent did not participate in such coordination, nor did he respond to
9 several phone calls and emails seeking such coordination.⁴

10 On August 6, 2021, an Order Rescheduling Early Case Conference was filed which
11 rescheduled the Early Case Conference to October 13, 2021, at 10:30 a.m. This Order was mailed
12 to Respondent via USPS Certified Mail, postage pre-paid, to the Michigan address, and was
13 delivered on August 10, 2021.

14 On October 13, 2021, Hearing Officer Patrick Dolan, Esq., conducted a telephonic Early
15 Case Conference in this matter. Brandee Mooneyhan, J.D., Deputy General Counsel,
16 (Ms. Mooneyhan) was present on behalf of the Investigative Committee (IC). Respondent did not
17 participate in the proceeding, nor did he contact the Board, IC, or Hearing Officer regarding the
18 proceeding. At the rescheduled Early Case Conference, Hearing Officer Dolan set the date for the
19 Prehearing Conference, the deadline for the parties to exchange lists of witnesses and documents,
20 and the date for the Hearing.

21 On October 14, 2021, in compliance with NAC 630.465, a Scheduling Order setting the
22 Prehearing Conference and Hearing was filed. Pursuant to that Order, the Prehearing Conference
23 was set for November 16, 2021, at 9:30 a.m. The Scheduling Order was sent to Respondent's
24 address on file with the Board on October 14, 2021, and was also emailed to Respondent on

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26 ² An investigator employed by the Board determined through common investigative means that it appeared
that Respondent lived at the Grand Rapids, Michigan, address.

27 ³ Respondent requested this continuance via telephone call to counsel for the IC; with Respondent's
agreement, his request was communicated to the Hearing Officer via email, with a copy to Respondent's email
address, which he provided during the telephone call.

28 ⁴ The single phone call and single email on June 30, 2021, were Respondent's only contact with the Board
during these proceedings.

1 November 8, 2021. An additional copy of the Order was sent to Respondent at his Michigan
2 address via Fed Ex Priority mail and delivered on November 16, 2021.

3 Respondent was timely and properly served with the Prehearing Conference Statement and
4 the mandated prehearing disclosures in accordance with NRS and NAC Chapters 630,
5 NRS Chapters 241, 622A and 233B, and the requirements of due process, by Fed Ex Priority
6 Mail, delivered to Respondent at his Michigan address on November 13, 2021, at 7:30 a.m.

7 The Prehearing Conference was held telephonically as noticed and ordered, at which time,
8 legal counsel for the IC, Ms. Mooneyhan, appeared. Neither the Respondent nor any
9 representative of the Respondent participated in the Prehearing Conference, nor did Respondent
10 contact the Board, IC, or Hearing Officer regarding the proceeding.

11 On November 18, 2021, an Order Rescheduling Deadline for Filing and Exchange of Pre-
12 Hearing Statements and Notice of Hearing was filed. Pursuant to that Order, Respondent's time to
13 file and exchange mandatory prehearing disclosures was extended to November 30, 2021, and the
14 Hearing was set for January 12, 2022, at 9:30 a.m., at the Office of the Nevada State Board of
15 Medical Examiners, 9600 Gateway Drive, Reno, Nevada 89521. This Order was delivered to
16 Respondent at his Michigan address via Fed Ex Priority Mail on November 26, 2021.

17 IV.

18 On January 12, 2022, as duly noticed and ordered, a Hearing was held before the Hearing
19 Officer to receive evidence and to hear arguments of both parties. Legal counsel for the IC,
20 Ms. Mooneyhan, appeared. Respondent did not attend the Hearing, nor did counsel appear on his
21 behalf. Ms. Mooneyhan presented the IC's case and offered Exhibits 1 through 2, which were
22 marked and admitted into evidence.

23 The Hearing Officer provided Findings and Recommendations, which were filed
24 February 2, 2022. This matter was scheduled for final adjudication on March 4, 2022, at a
25 regularly scheduled Board meeting.

26 The notice of the adjudication was sent via USPS Certified Mail to Respondent's Michigan
27 address and returned as undeliverable. Notice was resent via Fed Ex Priority Mail and was
28 delivered to Respondent's Michigan address on February 10, 2022, at 1:27 p.m.

1 A copy of the adjudication materials along with a copy of the Hearing Officer's Findings
2 and Recommendation were mailed via Fed Ex Priority Mail, and were delivered to Respondent's
3 Michigan address on February 10, 2022, at 1:27 p.m.

4 **V.**

5 Pursuant to NRS 622A.300(5)(a), the Findings and Recommendations of the Hearing
6 Officer are hereby approved by the Board, with modification to the discipline, and are hereby
7 specifically incorporated and made part of this Order by reference. A copy of the Findings and
8 Recommendations filed February 2, 2022, in this matter are attached hereto as **Exhibit 1**.

9 **VI.**

10 The Board hereby finds that Count I, as set forth in the Complaint, and as recapitulated in
11 Paragraph II above, has been established by a preponderance of the evidence.

12 **VII.**

13 If any of the foregoing Findings of Fact is more properly deemed a Conclusion of Law, it
14 may be so construed.

15 **CONCLUSIONS OF LAW**

16 **I.**

17 The Board has jurisdiction over Respondent and the Complaint, and an adjudication of this
18 matter by the Board members as set forth herein is proper.

19 **II.**

20 Respondent was timely and properly served with the Complaint, and all notices and orders
21 in advance of the hearing and adjudication thereon, in accordance with NAC Chapter 630,
22 and NRS Chapters 630, 241, 622A and 233B, and all legal requirements of due process.

23 **III.**

24 With respect to the allegations of the Complaint, the Board concludes that Respondent has
25 violated the Medical Practice Act, as alleged in the Complaint, as follows: one (1) count of
26 NRS 630.301(3), Disciplinary Action by Another State Medical Board. Accordingly, Respondent
27 is subject to discipline pursuant to NRS 630.352.

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1 IV.

2 The Board finds that, pursuant to NRS 622.400, recovery from Respondent of reasonable
3 attorneys' fees and costs incurred by the Board as part of its investigation and disciplinary
4 proceedings against Respondent is appropriate. The Board has reviewed the Investigative
5 Committee's Memorandum of Costs and Disbursements and Attorneys' Fees; and the Board finds
6 them to be the actual fees and costs incurred by the Board as part of its investigative,
7 administrative and disciplinary proceedings against Respondent, and finds them to be reasonable
8 and necessary based on: (1) the abilities, training, education, experience, professional standing
9 and skill demonstrated by Board staff and attorneys; (2) the character of the work done, its
10 difficulty, its intricacy, its importance, the time and skill required, the responsibility imposed and
11 the prominence and character of the parties where, as in this case, they affected the importance of
12 the litigation; (3) the work actually performed by the Board's attorneys and staff, and the skill,
13 time and attention given to that work; and (4) the product of the work and benefits to the Board
14 and the people of Nevada that were derived therefrom.

15 V.

16 If any of the foregoing Conclusions of Law is more properly deemed a Finding of Fact, it
17 may be so construed.

18 **ORDER**

19 Based upon the foregoing Findings of Fact and Conclusions of Law, and good cause
20 appearing therefore,

21 IT IS HEREBY ORDERED that:

22 1. Pursuant to NRS 630.352(4)(e), a written public reprimand shall be issued to
23 Respondent;

24 2. Pursuant to NRS 630.352(4)(d), Respondent's license to practice medicine is
25 hereby revoked, and in accord with NRS 622A.410(1), the Board hereby prescribes a period of
26 one (1) year during which the Respondent may not reapply for licensure in the State of Nevada;

27 and

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OFFICE OF THE GENERAL COUNSEL

Nevada State Board of Medical Examiners
9600 Gateway Drive
Reno, Nevada 89521
(775) 688-2559

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3. Respondent is hereby ordered to reimburse the Board the reasonable and necessary costs and expenses actually incurred in the investigation and prosecution of this case in the amount of four thousand nine hundred forty-five dollars and seventy-one cents (\$4,945.71), which amount Respondent shall pay immediately upon reapplication for licensure in the State of Nevada.

IT IS SO ORDERED.

DATED this 8th day of March, 2022.

NEVADA STATE BOARD OF MEDICAL EXAMINERS

By: 
VICTOR M. MURO, M.D.
President of the Board

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CERTIFICATION

I certify that the foregoing is the full and true original **FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER** on file in the office of the Board of Medical Examiners in the matter of **GREGORY GENE EYRE, M.D.**, Case No. 20-28184-1.

I further certify that Victor M. Muro, M.D., is the President of the Nevada State Board of Medical Examiners and that full force and credit is due to his official acts as such; and that the signature to the foregoing **ORDER** is the signature of the said Victor M. Muro, M.D.

IN WITNESS THEREOF, I have hereunto set my hand in my official capacity as Secretary-Treasurer of the Nevada State Board of Medical Examiners.

DATED this 8th day of March, 2022.

NEVADA STATE BOARD OF MEDICAL EXAMINERS

By: Maggie Arias-Petrel
MAGGIE ARIAS-PETREL
Secretary-Treasurer and Public Member of the Board