

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. 23-29548-1**

6 **Against:**

7 **GARY EUGENE TURNER, M.D.,**

8 **Respondent.**

**FILED**

**MAY - 3 2023**

NEVADA STATE BOARD OF  
MEDICAL EXAMINERS

By: 

9  
10 **COMPLAINT**

11 The Investigative Committee<sup>1</sup> (IC) of the Nevada State Board of Medical Examiners  
12 (Board), by and through William P. Shogren, Deputy General Counsel and attorney for the IC,  
13 having a reasonable basis to believe that Gary Eugene Turner, M.D. (Respondent) violated the  
14 provisions of Nevada Revised Statutes (NRS) Chapter 630 and Nevada Administrative Code  
15 (NAC) Chapter 630 (collectively, the Medical Practice Act), hereby issues its Complaint, stating  
16 the IC's charges and allegations as follows:

17 1. Respondent was at all times relative to this Complaint a physician holding an active  
18 license to practice medicine in the State of Nevada (License No. 11153). Respondent was  
19 originally licensed by the Board on September 14, 2004. Respondent's specialty is listed as  
20 diagnostic and neuroradiology radiology.

21 2. Patient A<sup>2</sup> was a sixty-five (65) year-old male at the time of the events at issue.

22 3. On July 4, 2020, Patient A, following a hernia surgery, presented to Carson Tahoe  
23 Regional Medical Center emergency room with complaints of abdominal cramping, nausea, and  
24 abdominal swelling. That same day, Patient A underwent a computed tomography (CT) scan with  
25 contrast of his abdomen and pelvis.

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27 <sup>1</sup> The Investigative Committee of the Nevada State Board of Medical Examiners, at the time this formal  
28 Complaint was authorized for filing, was composed of Board members Bret W. Frey, M.D., Carl N. Williams, Jr.,  
M.D. FACS, Col. Eric D. Wade, USAF (Ret.).

<sup>2</sup> 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 4. The CT scan from July 4, 2020, demonstrated a left kidney tumor and enlarged  
2 lymph nodes adjacent to the left kidney.

3 5. Respondent, acting as radiologist on duty at the hospital, interpreted the result of  
4 Patient A's CT scan from July 4, 2020, and found a mechanical small bowel obstruction.

5 6. Respondent did not note, at any time, Patient A's left kidney tumor or enlarged  
6 lymph nodes adjacent to the left kidney.

7 7. On or about August 4, 2021, a CT scan of Patient A's abdomen was performed.

8 8. On or about September 1, 2021, a positron emission tomography (PET) scan of  
9 Patient A's abdomen was performed.

10 9. The August and September 2021 scans found there to be stable recurrent papillary  
11 renal cell carcinoma in the left kidney and adjacent nodes.

12 10. Thereafter, the CT scan from August 4, 2021, and the PET scan from  
13 September 1, 2021, were compared to the CT scan from July 4, 2020, in which it was found that  
14 Patient A's left kidney tumor was stable since July 4, 2020, but the lymph node had increased in  
15 size since the July 4, 2020 CT scan.

16 **COUNT I**

17 **NRS 630.301(4) - Malpractice**

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

20 12. NRS 630.301(4) provides that malpractice of a Physician is grounds for initiating  
21 disciplinary action against a licensee.

22 13. NAC 630.040 defines malpractice as "the failure of a physician, in treating a  
23 patient, to use the reasonable care, skill, or knowledge ordinarily used under similar  
24 circumstances."

25 14. As demonstrated by, but not limited to, the above-outlined facts, Respondent failed  
26 to use the reasonable care, skill or knowledge ordinarily used under similar circumstances when  
27 rendering medical services to Patient A by failing to identify and note the left kidney tumor and  
28 enlarged lymph nodes on Patient A's July 4, 2020 CT scan.



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6. That the Board take such other and further action as may be just and proper in these premises.

DATED this 2nd day of May, 2023.

INVESTIGATIVE COMMITTEE OF THE  
NEVADA STATE BOARD OF MEDICAL EXAMINERS

By: 

WILLIAM P. SHOGREN  
Deputy General Counsel  
9600 Gateway Drive  
Reno, NV 89521  
Tel: (775) 324-9366  
Email: [shogrenw@medboard.nv.gov](mailto:shogrenw@medboard.nv.gov)  
*Attorney for the Investigative Committee*

1 VERIFICATION

2 STATE OF NEVADA )  
3 : ss.  
4 COUNTY OF WASHOE )

5 Bret W. Frey, M.D., having been duly sworn, hereby deposes and states under penalty of  
6 perjury that he is the Chairman of the Investigative Committee of the Nevada State Board of  
7 Medical Examiners that authorized the Complaint against the Respondent herein; that he has read  
8 the foregoing Complaint; and that based upon information discovered in the course of the  
9 investigation into a complaint against Respondent, he believes that the allegations and charges in  
10 the foregoing Complaint against Respondent are true, accurate and correct.

11 DATED this 2nd day of May, 2023.

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

14 By:



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16 BRET W. FREY, M.D.  
17 *Chairman of the Investigative Committee*