

1 5. Respondent’s medical records from November 8, 2019, indicate in the HPI that
2 Patient A had been followed by a different physician at NOSC for left foot pain and that
3 Respondent had reviewed a summary of care.

4 6. In the Physical Exam section of Respondent’s medical records from
5 November 8, 2019, Respondent notes that he examined Patient A’s left lower extremity.

6 7. In the Assessment and Plan section of Respondent’s medical records from
7 November 8, 2019, Respondent notes that Patient A had weakness and pain involving his left foot
8 coalition. Further, Respondent recommended a medial calcaneal slide osteotomy with possible
9 lateral percutaneous achilles tendon lengthening.

10 8. Patient A presented to Sunrise Hospital for the left foot surgery on November 12,
11 2019.

12 9. Medical records from Sunrise Hospital indicate that Respondent signed the History
13 and Physical Addendum which stated that he had reviewed the medical records from
14 November 8, 2019, and that “the contents accurately reflect the patient’s condition without any
15 significant changes to be noted.”

16 10. Pre-Surgical / Pre-Admission Orders received by Sunrise Hospital and signed by
17 Respondent state the procedure as “Lt foot medial calcaneal slide osteotomy lateral calcaneal
18 opening wedge osteotomy poss achilles lengthening”.

19 11. Patient A’s mother signed the Pediatric Consent/Authorization for Operative and
20 Other Procedure(s) consent form to perform a “Lt foot medial calcaneal slide osteotomy lateral
21 calcaneal opening wedge osteotomy possible achilles lengthening”.

22 12. Respondent’s operative report states, Respondent reviewed his November 8, 2019,
23 medical records noting Patient A’s complaint of right foot pain and marked Patient A’s right foot.

24 13. Although a time-out was performed, Respondent verified the right foot and
25 proceeded with the surgery on Patient A’s right foot.

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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 2 day of June, 2023.

INVESTIGATIVE COMMITTEE OF THE
NEVADA STATE BOARD OF MEDICAL EXAMINERS

By: Deonne E. Contine
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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 2nd day of June, 2023.

INVESTIGATIVE COMMITTEE OF THE
NEVADA STATE BOARD OF MEDICAL EXAMINERS

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