# BEFORE THE BOARD OF MEDICAL EXAMINERS OF THE STATE OF NEVADA

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In the Matter of Charges and Complaint

Against:

JON LANE SIEMS, M.D.,

Respondent.

Case No. 23-13009-1

FILED

JAN 3 0 2023

NEVADA STATE BOARD OF MEDICAL EXAMINERS By:

### **COMPLAINT**

The Investigative Committee<sup>1</sup> (IC) of the Nevada State Board of Medical Examiners ("Board") hereby issues this formal Complaint against Jon L. Siems, M.D. (hereinafter referred to as Respondent), a licensed physician in Nevada. After investigating this matter, the IC has a reasonable basis to believe that Respondent has violated provisions of Nevada Revised Statutes (NRS) Chapter 630 and Nevada Administrative Code (NAC) Chapter 630 (collectively, the Medical Practice Act).

The IC alleges the following facts:

- 1. Respondent is currently, and was at all times relevant to this Complaint, licensed in active status (License No. 9250). Respondent was issued his license from the Board on December 20, 1999, pursuant to the provisions of NRS Chapter 630.
- 2. On November 29, 2021, the IC entered into a Settlement Agreement<sup>2</sup> with Respondent and on December 3, 2021 the Board approved the Settlement Agreement.

<sup>&</sup>lt;sup>1</sup> The Investigative Committee of the Nevada State Board of Medical Examiners, at the time the filing of this Complaint was approved, was composed of Bret W. Frey, M.D., Carl N. Williams, Jr., M.D. FACS, and Col. Eric D. Wade, USAF (Ret.).

<sup>&</sup>lt;sup>2</sup> 13. Failure to Comply with Terms. Should Respondent fail to comply with any term or condition of this Agreement once the Agreement has been accepted, approved and adopted by the Board, the IC shall be authorized to immediately suspend Respondent's license to practice medicine in Nevada pending an Order to Show Cause Hearing, which will be duly noticed. Failure to comply with the terms of this Agreement, including failure to pay any fines, costs, expenses or fees owed to the Board, is a failure to comply with an order of the Board, which may result in additional disciplinary action being taken against Respondent. NRS 630.3065(2)(a). Further, Respondent's failure to remit payment to the Board for monies agreed to be paid as a condition of this Agreement may subject Respondent to any civil and administrative collection efforts available.

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- In a letter dated December 14, 2021, Johnna LaRue, Deputy Chief of Investigations 3. and Compliance Officer for the Board, in normal course mailed a letter via first class mail with return receipt required, postage prepaid to Respondent which provided explicit instructions regarding his specific requirements and the deadlines to achieve compliance with the Boardapproved Settlement Agreement.
- The Order attached to the Settlement Agreement, as well as Ms. LaRue's letter 4. clearly stated that Respondent had one (1) year to complete twenty (20) hours of Continuing Medical Education (CMEs) and one (1) year to complete the Physician Assessment and Clinical Education Program at the University of San Diego School of Medicine (PACE).
- Respondent did not complete the CMEs nor the PACE program within the allotted 5. time agreed to in the Settlement Agreement, nor did Respondent correspond with Board staff to request an extension to complete the requirements.

## COUNT I

# NRS 630.3065(2)(a) - Knowing or Willful Failure to Comply with a Board Order

- All of the allegations in the above paragraphs are hereby incorporated by reference 6. as though fully set forth herein.
- NRS 630.3065(2)(a) provides that the knowing or willful failure to comply with an 7. order of the Board constitutes grounds for initiating disciplinary action.
- Respondent knowingly or willfully failed to comply with an order of the Board 8. when he failed to complete 20 hours of CMEs or the PACE Program by or within the deadline he agreed to with the Board.
- Additionally, the Settlement Agreement that Respondent signed and was 9. subsequently approved by the Board clearly states that Respondent agreed to be placed on stayed suspension and that if he violated any terms of the agreement that the IC shall be authorized to immediately suspend Respondent's license to practice medicine in Nevada pending an Order to Show Cause Hearing.
- By reason of the foregoing, Respondent is subject to discipline by the Board as 10. provided in NRS 630.352.

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# WHEREFORE, the Investigative Committee prays:

- That the Nevada State Board of Medical Examiners give Respondent notice of the 1. charges herein against him and give him notice that he may file an answer to the Complaint herein as set forth in NRS 630.339(2) within twenty (20) days of service of the Complaint;
- That the Nevada State Board of Medical Examiners set a time and place for a 2. formal hearing after holding an Early Case Conference pursuant to NRS 630.339(3);
- That the Nevada State Board of Medical Examiners determine what sanctions to 3. impose if it determines there has been a violation or violations of the Medical Practice Act committed by Respondent;
- That the Nevada State Board of Medical Examiners make, issue and serve on 4. Respondent its findings of fact, conclusions of law and order, in writing, that includes the sanctions imposed; and
- That the Nevada State Board of Medical Examiners take such other and further 5. action as may be just and proper in these premises.

DATED this **Manual**day of January, 2023.

INVESTIGATIVE COMMITTEE OF THE NEVADA STATE BOARD OF MEDICAL EXAMINERS

By:

DØMALD K. WHITE

Senior Deputy General Counsel

9600 Gateway Drive

Reno, NV 89521

Tel: (775) 688-2559

Email: dwhite@medboard.nv.gov

Attorney for the Investigative Committee

Reno, Nevada 89521

## VERIFICATION

) : ss. STATE OF NEVADA 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 20 day of January, 2023.

INVESTIGATIVE COMMITTEE OF THE NEVADA STATE BOARD OF MEDICAL EXAMINERS

By:

Chairman of the Investigative Committee