

BEFORE THE BOARD OF MEDICAL EXAMINERS  
OF THE STATE OF NEVADA

\* \* \* \* \*

In the Matter of Charges and Complaint

Case No. 23-8462-1

Against:

RICHARD DAVID WASHINSKY, M.D.,

Respondent.

FILED

JUL 17 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), by and through William P. Shogren, Deputy General Counsel and attorney for the IC, having a reasonable basis to believe that Richard David Washinsky, M.D. (Respondent) violated the provisions of Nevada Revised Statutes (NRS) Chapter 630 and Nevada Administrative Code (NAC) Chapter 630 (collectively, the Medical Practice Act), hereby issues its Complaint, stating the IC's charges and allegations as follows:

**A. Respondent's Licensure Status**

1. Respondent was at all times relative to this Complaint a medical doctor holding an active license to practice medicine in the State of Nevada (License No. 6547). Respondent was originally licensed by the Board on July 1, 1992.

**B. Applicable Law**

2. Pursuant to NRS 630.3065(2)(a), a licensee shall not knowingly or willfully fail to comply with a subpoena or order of the Investigative Committee (IC) or the Board.

3. Pursuant to NRS 630.311(1), the IC must review each complaint made against a licensee and conduct an investigation to determine if there is a reasonable basis for the complaint.

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<sup>1</sup> 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 Bret W. Frey, M.D., Col. Eric D. Wade, USAF (Ret.), Carl N. Williams, Jr., M.D., FACS.

1 The IC may issue orders to aid its investigation, including, but not limited to, compelling a  
2 licensee to appear before the IC.

3 **C. Respondent's Failure to Comply With an Order for Health Care Records in NSBME**

4 **Investigative File No.** [REDACTED]

5 4. On June 14, 2022, pursuant to an investigation of Respondent's alleged conduct  
6 related to IF [REDACTED], an investigator for the Board sent an Allegation Letter to Respondent.  
7 Respondent was ordered to respond to the Allegation Letter within thirty (30) days of service.  
8 The Allegation Letter was sent to Respondent via USPS first-class mail on or about June 14, 2022,  
9 to his permanent mailing address on file at that time with the Board located at 9010 W. Cheyenne  
10 Ave., Las Vegas, NV 89129.

11 5. Respondent failed to respond to the Allegation Letter within thirty (30) days.  
12 Accordingly, on or about July 14, 2022, an investigator for the Board sent a Second Request  
13 Letter, along with a Final Order to Produce Response & Medical Records (IC Order), to  
14 Respondent via USPS first-class mail to his permanent mailing address on file with the Board  
15 located at 2851 N Tenaya Way #103, Las Vegas, NV 89128. A copy of the Second Request  
16 Letter and IC Order was also sent to Respondent's email address on file with the Board.

17 6. Respondent failed to respond to either the Second Request Letter or the IC Order.  
18 Accordingly, on or about August 17, 2022, a third and final request letter was sent, along with the  
19 original Allegation Letter and the IC Order (collectively referred to as the "Final Documents"), to  
20 Respondent via USPS fist-class mail to his permanent address on file with the Board located at  
21 2851 N Tenaya Way #103, Las Vegas, NV 89128. A copy of the Final Documents was also sent  
22 to Respondent's email address on file with the Board.

23 7. Additionally, a copy of the Final Documents was sent to Respondent's permanent  
24 address on file with the Board via certified mail located at 2851 N Tenaya Way #103, Las Vegas,  
25 NV 89128. The certified mail was returned to sender without signature.

26 8. To date, Respondent has failed to respond to the IC Order pursuant to an  
27 investigation of Respondent's alleged conduct related to IF [REDACTED].

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1 **F. Respondent's Failure to Comply with an Order for Appearance at the IC Meeting**

2 9. On or about November 21, 2022, pursuant to NRS 630.311(1), the IC issued an  
3 Order for Appearance (Appearance Order) to Respondent via USPS certified mail to his  
4 permanent mailing address on file with the Board located at 2851 N Tenaya Way #103, Las  
5 Vegas, NV 89128, whereby Respondent was required to appear before the IC on  
6 February 17, 2023, to discuss his open investigation before the IC members.

7 10. In its Appearance Order, the IC also stated that it wanted to discuss with  
8 Respondent his practice in general, his specialty, the community standard of care regarding his  
9 specialty, and Respondent's complaint history with the Board.

10 11. An investigator for the Board also emailed Respondent a courtesy copy of the  
11 Appearance Order to Respondent's email on record on November 21, 2023.

12 12. On February 17, 2023, Respondent failed to appear before the IC pursuant to the  
13 Appearance Order.

14 **COUNT I**

15 **NRS 630.3065(2)(a) - Knowing and Willful Failure to Comply with Investigative**  
16 **Committee Order**

17 13. All of the allegations in the above paragraphs are hereby incorporated as if fully set  
18 forth herein.

19 14. NRS 630.3065(2)(a) provides that knowingly or willfully failing to comply with a  
20 regulation, subpoena or order of the Board or a committee designated by the Board to investigate a  
21 complaint against a physician is grounds for disciplinary action.

22 15. Respondent knowingly and willingly failed to comply with the IC's Final Order to  
23 Produce Response & Medical Records pursuant to an investigation of Respondent's alleged  
24 conduct related to IF [REDACTED], after being served with the IC Order by mail to Respondent's  
25 permanent mailing address on record with the Board (with a courtesy copy sent to Respondent's  
26 email address on file with the Board).

27 16. By reason of the foregoing, Respondent is subject to discipline by the Board as  
28 provided in NRS 630.352.

COUNT II

**NRS 630.3065(2)(a) - Knowing and Willful Failure to Comply with Investigative  
Committee Order**

17. All of the allegations in the above paragraphs are hereby incorporated as if fully set forth herein.

18. NRS 630.3065(2)(a) provides that knowingly or willfully failing to comply with a regulation, subpoena or order of the Board or a committee designated by the Board to investigate a complaint against a physician is grounds for disciplinary action.

19. Respondent knowingly and willingly failed to comply with the IC's Order for Appearance at the IC meeting held on February 17, 2023 as ordered, after being served with said order to Respondent's permanent mailing address of record with the Board (with a courtesy copy sent to Respondent's email address on file with the Board).

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

**WHEREFORE**, the Investigative Committee prays:

1. That the Board give Respondent notice of the 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;

2. That the Board set a time and place for a formal hearing after holding an Early Case Conference pursuant to NRS 630.339(3);

3. That the Board determine what sanctions to impose if it determines there has been a violation or violations of the Medical Practice Act committed by Respondent;

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

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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 17<sup>th</sup> day of July, 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) 688-2559  
Email: [shogrenw@medboard.nv.gov](mailto:shogrenw@medboard.nv.gov)  
*Attorney for the Investigative Committee*

OFFICE OF THE GENERAL COUNSEL  
Nevada State Board of Medical Examiners  
9600 Gateway Drive  
Reno, Nevada 89521  
(775) 688-2559

**VERIFICATION**


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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 17th day of July, 2023.

INVESTIGATIVE COMMITTEE OF THE  
NEVADA STATE BOARD OF MEDICAL EXAMINERS

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

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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 17th day of July, 2023, I served a file-stamped copy of the foregoing **COMPLAINT** and required fingerprinting materials, via USPS Certified Mail, postage pre-paid, to the following parties:

RICHARD DAVID WASHINSKY, M.D.  
2851 N. Tenaya Way, #103  
Las Vegas, NV 89128

Tracking No.: 9171 9690 0935 0255 6832 22

DATED this 17<sup>th</sup> day of July, 2023.

  
\_\_\_\_\_  
MERCEDES FUENTES  
Legal Assistant  
Nevada State Board of Medical Examiners