

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. 23-31248-1

6   **Against:**

**FILED**

7   **RONALD DAVID SMITH, M.D.,**

AUG - 1 2023

8   **Respondent.**

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 Ronald David Smith, M.D. (Respondent) violated the  
14 provisions of Nevada Revised Statutes (NRS) Chapter 630 and Nevada Administrative Code (NAC)  
15 Chapter 630 (collectively, the Medical Practice Act), hereby issues its Complaint, stating the IC's  
16 charges and allegations as follows:

17                                1.       Respondent was at all times relative to this Complaint a medical doctor holding an  
18 active license to practice medicine in the State of Nevada (License No. 11778). Respondent was  
19 originally licensed by the Board on March 18, 2006.

20   **A.     Respondent's Criminal Conviction.**

21                                2.       In the U.S. District Court for the State of Nevada, in Criminal  
22 Case No. 2:19-cr-00154-RFB-VCF, entitled "United States of America v. Ronald Smith, M.D., on  
23 or about December 9, 2021, the United States Attorney for the District of Nevada filed a  
24 Superseding Criminal Information, hereto attached as **Exhibit 1** and incorporated herein by this  
25 reference, charging Respondent with *two (2) counts* of Possession of Controlled Substances –  
26 Schedule III, in violation of 21 U.S.C. §§ 844(a). It was alleged that Respondent, on or about  
27

28                                <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 Victor M. Muro, M.D., Chair, Chowdhury H.  
Ahsan, M.D., Ph.D., FACC, and Ms. Pamela J. Beal (Public Member).

1 March 12, 2019, and March 26, 2019, knowingly possessed buprenorphine, a Scheduled III  
2 controlled substance, which was not obtained directly, or pursuant to a valid prescription or order,  
3 from a practitioner, while acting in the course of Respondent’s professional practice.

4 3. Pursuant to a Judgment in a Criminal Case filed on January 13, 2023 (Judgment of  
5 Conviction), hereto attached as **Exhibit 2** and incorporated herein by this reference, Respondent  
6 knowingly and voluntarily pleaded guilty to counts one and two of the Superseding Criminal  
7 Information, both counts consisting of Possession of Controlled Substances – Schedule III, in  
8 violation of 21 U.S.C. §§ 844(a).

9 **B. Respondent’s Stipulation and Order with the Nevada State Board of Pharmacy.**

10 4. Respondent held an active Nevada Controlled Substance Registration, Certificate  
11 No. CS13980, issued by the Nevada State Board of Pharmacy (Pharmacy Board).

12 5. On or about October 23, 2020, Respondent was served with the Notice of Intended  
13 Action and Accusation (Accusation) by the Pharmacy Board, alleging that Respondent failed to  
14 comply with Federal requirements pertaining to controlled substances and that Respondent  
15 surrendered his DEA Certificate of Registration for cause. The Accusation further alleged that  
16 Respondent’s Certificate of Registration with the Pharmacy Board was suspended pursuant to  
17 NRS 639.2017 as a result of Respondent’s DEA Certificate suspension.

18 6. On or about July 13, 2022, Respondent and the Pharmacy Board entered into a  
19 “Stipulation and Order” (Pharmacy Board Stipulation), hereto attached as **Exhibit 3** and  
20 incorporated herein by this reference, whereby Respondent admitted that evidence existed, and that  
21 Pharmacy Board staff could present such evidence at an administrative hearing, to establish a  
22 factual basis for violations against him.

23 7. In the Pharmacy Board Stipulation, Respondent agreed to the revocation of his  
24 Certification of Registration No. CS13980 with the Pharmacy Board.

25 ///  
26 ///  
27 ///  
28 ///

**COUNT I**

**NRS 630.301(11)(f) –Violation of Federal Law Regulating the Possession, Distribution or Use of Any Controlled Substance**

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

9. NRS 630.301(11)(f) provides that conviction of a violation of any federal or state law regulating the possession, distribution or use of any controlled substance or any dangerous drug as defined in chapter 454 of NRS is grounds for initiating disciplinary action or denying licensure.

10. Respondent was convicted of one (1) count of Possession of Controlled Substances – Schedule III, in violation of 21 U.S.C. §§ 844(a), a misdemeanor.

11. 21 U.S.C. §§ 844(a) is a federal law regulating the possession, distribution or use of any controlled substance.

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

**COUNT II**

**NRS 630.301(11)(f) –Violation of Federal Law Regulating the Possession, Distribution or Use of Any Controlled Substance**

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

9. NRS 630.301(11)(f) provides that conviction of a violation of any federal or state law regulating the possession, distribution or use of any controlled substance or any dangerous drug as defined in chapter 454 of NRS is grounds for initiating disciplinary action or denying licensure.

10. Respondent was convicted of one (1) count of Possession of Controlled Substances – Schedule III, in violation of 21 U.S.C. §§ 844(a), a misdemeanor.

11. 21 U.S.C. §§ 844(a) is a federal law regulating the possession, distribution or use of any controlled substance.







1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**CERTIFICATE OF SERVICE**

I hereby certify that I am employed by the Nevada State Board of Medical Examiners and that on the 1st day of August, 2023, I served a file-stamped copy of the foregoing **COMPLAINT** as and required fingerprinting materials, via USPS Certified Mail, postage pre-paid, to the following parties:

RONALD DAVID SMITH, M.D.  
574 Willis Street  
Bristol, CT 06010

*Tracking No.:* 9171 9690 0935 0255 6833 69

DATED this 1<sup>st</sup> day of August, 2023.

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

# **EXHIBIT 1**

# **EXHIBIT 1**



1 CHRISTOPHER CHIOU  
Acting United States Attorney  
2 Nevada Bar No. 14853  
PETER S. LEVITT  
3 Assistant United States Attorney  
501 Las Vegas Boulevard South, Suite 1100  
4 Las Vegas, Nevada 89101  
Tel: (702) 388-6336  
5 Fax: (702) 388-6418  
[peter.s.levitt@usdoj.gov](mailto:peter.s.levitt@usdoj.gov)

6 *Attorneys for the United States*

7 **UNITED STATES DISTRICT COURT**  
8 **DISTRICT OF NEVADA**

9 UNITED STATES OF AMERICA,  
10 Plaintiff,

11 vs.

12 RONALD SMITH, M.D.,  
13 Defendant.

Case No.: 2:19-cr-00154-RCB-VCF

SUPERSEDING CRIMINAL  
INFORMATION

VIOLATIONS:

21 U.S.C. § 844(a)  
Counts One and Two: Possession of  
Controlled Substances—Schedule III  
(Buprenorphine)

16 THE UNITED STATES ATTORNEY FOR THE DISTRICT OF NEVADA CHARGES  
17 THAT:

18 COUNT ONE  
19 Possession of Controlled Substances —Schedule III  
21 U.S.C. § 844(a)

20 1. On or about March 12, 2019, in the State and Federal District of Nevada,  
21 and elsewhere,

22 **RONALD SMITH, M.D.,**  
23  
24

1 defendant herein, did knowingly possess buprenorphine, a Scheduled III controlled  
2 substance, that was not obtained directly, or pursuant to a valid prescription or order, from  
3 a practitioner, while acting in the course of his professional practice, all in violation of  
4 Title 21, United States Code, Section 844(a).

5 COUNT TWO  
6 Distribution of Controlled Substances — Schedule III  
7 21 U.S.C. § 844(a)

7 2. On or about March 26, 2019, in the State and Federal District of Nevada,  
8 and elsewhere,

9 **RONALD SMITH, M.D.,**

10 defendant herein, did knowingly possess buprenorphine, a Scheduled III controlled  
11 substance, that was not obtained directly, or pursuant to a valid prescription or order, from  
12 a practitioner, while acting in the course of his professional practice, all in violation of  
13 Title 21, United States Code, Section 844(a).

14 **DATED:** this 16th day of November, 2021.

15 **CHRISTOPHER CHIOU**  
16 Acting United States Attorney

17  
18 **PETER S. LEVITT**  
19 Assistant United States Attorney

20  
21  
22  
23  
24

# **EXHIBIT 2**

# **EXHIBIT 2**

UNITED STATES DISTRICT COURT

District of Nevada

UNITED STATES OF AMERICA  
v.  
RONALD SMITH, M.D.

JUDGMENT IN A CRIMINAL CASE

Case Number: 2:19-cr-00154-RFB-VCF

USM Number: 55630-048

PAOLA AREMNI, CJA

Defendant's Attorney

THE DEFENDANT:

- pleaded guilty to count(s) One and Two of the Superseding Criminal Informatoin filed 12/09/2021.
- pleaded nolo contendere to count(s) \_\_\_\_\_  
which was accepted by the court.
- was found guilty on count(s) \_\_\_\_\_  
after a plea of not guilty.

The defendant is adjudicated guilty of these offenses:

<u>Title &amp; Section</u>	<u>Nature of Offense</u>	<u>Offense Ended</u>	<u>Count</u>
21 U.S.C. §§ 844(a)	Possession of Controlled Substances - Schedule III	3/12/2019	1s
21 U.S.C. §§ 844(a)	Possession of Controlled Substances - Schedule III	3/26/2019	2s

The defendant is sentenced as provided in pages 2 through 6 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

- The defendant has been found not guilty on count(s) \_\_\_\_\_
- Count(s) Any remaining  is  are dismissed on the motion of the United States.

It is ordered that the defendant must notify the United States attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid. If ordered to pay restitution, the defendant must notify the court and United States attorney of material changes in economic circumstances.

1/5/2023

Date of Imposition of Judgment

Signature of Judge



RICHARD F. BOULWARE, II

U.S. District Judge

Name and Title of Judge

1/5/2023

Date

DEFENDANT: RONALD SMITH, M.D.  
CASE NUMBER: 2:19-cr-00154-RFB-VCF

### PROBATION

You are hereby sentenced to probation for a term of: Three (3) years per counts one and two, to run concurrently to one another.

### MANDATORY CONDITIONS

1. You must not commit another federal, state or local crime.
2. You must not unlawfully possess a controlled substance.
3. You must refrain from any unlawful use of a controlled substance. You must submit to one drug test within 15 days of placement on probation and at least two periodic drug tests thereafter, as determined by the court, not to exceed 104 tests annually.
  - The above drug testing condition is suspended, based on the court's determination that you pose a low risk of future substance abuse. *(check if applicable)*
4.  You must cooperate in the collection of DNA as directed by the probation officer. *(check if applicable)*
5.  You must comply with the requirements of the Sex Offender Registration and Notification Act (34 U.S.C. § 20901, *et seq.*) as directed by the probation officer, the Bureau of Prisons, or any state sex offender registration agency in the location where you reside, work, are a student, or were convicted of a qualifying offense. *(check if applicable)*
6.  You must participate in an approved program for domestic violence. *(check if applicable)*
7.  You must make restitution in accordance with 18 U.S.C. §§ 2248, 2259, 2264, 2327, 3663, 3663A, and 3664. *(check if applicable)*
8. You must pay the assessment imposed in accordance with 18 U.S.C. § 3013.
9. If this judgment imposes a fine, you must pay in accordance with the Schedule of Payments sheet of this judgment.
10. You must notify the court of any material change in your economic circumstances that might affect your ability to pay restitution, fines, or special assessments.

You must comply with the standard conditions that have been adopted by this court as well as with any other conditions on the attached page.

DEFENDANT: RONALD SMITH, M.D.  
CASE NUMBER: 2:19-cr-00154-RFB-VCF

### STANDARD CONDITIONS OF SUPERVISION

As part of your probation, you must comply with the following standard conditions of supervision. These conditions are imposed because they establish the basic expectations for your behavior while on supervision and identify the minimum tools needed by probation officers to keep informed, report to the court about, and bring about improvements in your conduct and condition.

1. You must report to the probation office in the federal judicial district where you are authorized to reside within 72 hours of the time you were sentenced, unless the probation officer instructs you to report to a different probation office or within a different time frame.
2. After initially reporting to the probation office, you will receive instructions from the court or the probation officer about how and when you must report to the probation officer, and you must report to the probation officer as instructed.
3. You must not knowingly leave the federal judicial district where you are authorized to reside without first getting permission from the court or the probation officer.
4. You must answer truthfully the questions asked by your probation officer.
5. You must live at a place approved by the probation officer. If you plan to change where you live or anything about your living arrangements (such as the people you live with), you must notify the probation officer at least 10 days before the change. If notifying the probation officer in advance is not possible due to unanticipated circumstances, you must notify the probation officer within 72 hours of becoming aware of a change or expected change.
6. You must allow the probation officer to visit you at any time at your home or elsewhere, and you must permit the probation officer to take any items prohibited by the conditions of your supervision that he or she observes in plain view.
7. You must work full time (at least 30 hours per week) at a lawful type of employment, unless the probation officer excuses you from doing so. If you do not have full-time employment you must try to find full-time employment, unless the probation officer excuses you from doing so. If you plan to change where you work or anything about your work (such as your position or your job responsibilities), you must notify the probation officer at least 10 days before the change. If notifying the probation officer at least 10 days in advance is not possible due to unanticipated circumstances, you must notify the probation officer within 72 hours of becoming aware of a change or expected change.
8. You must not communicate or interact with someone you know is engaged in criminal activity. ~~If you know someone has been convicted of a felony, you must not knowingly communicate or interact with that person without first getting the permission of the probation officer.~~
9. If you are arrested or questioned by a law enforcement officer, you must notify the probation officer within 72 hours.
10. You must not own, possess, or have access to a firearm, ammunition, destructive device, or dangerous weapon (i.e., anything that was designed, or was modified for, the specific purpose of causing bodily injury or death to another person such as nunchakus or tasers).
11. You must not act or make any agreement with a law enforcement agency to act as a confidential human source or informant without first getting the permission of the court.
12. If the probation officer determines that you pose a risk to another person (including an organization), the probation officer may require you to notify the person about the specific risks posed by your criminal record and you must comply with that instruction. The probation officer may contact the person and confirm that you have notified the person about the specific risks posed by your criminal record.
13. You must follow the instructions of the probation officer related to the conditions of supervision.

### U.S. Probation Office Use Only

A U.S. probation officer has instructed me on the conditions specified by the court and has provided me with a written copy of this judgment containing these conditions. For further information regarding these conditions, see *Overview of Probation and Supervised Release Conditions*, available at: [www.uscourts.gov](http://www.uscourts.gov).

Defendant's Signature \_\_\_\_\_

Date \_\_\_\_\_

DEFENDANT: RONALD SMITH, M.D.  
CASE NUMBER: 2:19-cr-00154-RFB-VCF

### SPECIAL CONDITIONS OF SUPERVISION

1. **Employment Restriction** – Prior to engaging in employment in a medical field, the Court and the Probation Officer must be noticed as to the nature of that practice. This condition may be requested to be removed after one year.

2. **Search and Seizure** – You must submit your person, property, house, residence, vehicle, papers, computers (as defined in 18 U.S.C. § 1030(e)(1)), other electronic communications or data storage devices or media, or office, to a search conducted by a United States Probation Officer. Failure to submit to a search may be grounds for revocation of release. You must warn any other occupants that the premises may be subject to searches pursuant to this condition.

The probation officer may conduct a search under this condition only when reasonable suspicion exists that you have violated a condition of supervision and that the areas to be searched contain evidence of this violation. Any search must be conducted at a reasonable time and in a reasonable manner.

3. **Community Service** - You must complete 100 hours of community service within your term of probation, 1095 days. The probation officer will supervise the participation in the program by approving the program (agency, location, frequency of participation, etc.). You must provide written verification of completed hours to the probation officer.

DEFENDANT: RONALD SMITH, M.D.  
 CASE NUMBER: 2:19-cr-00154-RFB-VCF

**CRIMINAL MONETARY PENALTIES**

The defendant must pay the total criminal monetary penalties under the schedule of payments on Sheet 6.

	<u>Assessment</u>	<u>Restitution</u>	<u>Fine</u>	<u>AVAA Assessment*</u>	<u>JVTA Assessment**</u>
<b>TOTALS</b>	\$ 50.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00

- The determination of restitution is deferred until \_\_\_\_\_, An Amended Judgment in a Criminal Case (AO 245C) will be entered after such determination.
- The defendant must make restitution (including community restitution) to the following payees in the amount listed below.

If the defendant makes a partial payment, each payee shall receive an approximately proportioned payment, unless specified otherwise in the priority order or percentage payment column below. However, pursuant to 18 U.S.C. § 3664(i), all nonfederal victims must be paid before the United States is paid.

<u>Name of Payee</u>	<u>Total Loss***</u>	<u>Restitution Ordered</u>	<u>Priority or Percentage</u>
----------------------	----------------------	----------------------------	-------------------------------

<b>TOTALS</b>	\$ _____	0.00	\$ _____	0.00
---------------	----------	------	----------	------

- Restitution amount ordered pursuant to plea agreement \$ 0.00
- The defendant must pay interest on restitution and a fine of more than \$2,500, unless the restitution or fine is paid in full before the fifteenth day after the date of the judgment, pursuant to 18 U.S.C. § 3612(f). All of the payment options on Sheet 6 may be subject to penalties for delinquency and default, pursuant to 18 U.S.C. § 3612(g).
- The court determined that the defendant does not have the ability to pay interest and it is ordered that:
  - the interest requirement is waived for the  fine  restitution.
  - the interest requirement for the  fine  restitution is modified as follows:

\* Amy, Vicky, and Andy Child Pornography Victim Assistance Act of 2018, Pub. L. No. 115-299.  
 \*\* Justice for Victims of Trafficking Act of 2015, Pub. L. No. 114-22.  
 \*\*\* Findings for the total amount of losses are required under Chapters 109A, 110, 110A, and 113A of Title 18 for offenses committed on or after September 13, 1994, but before April 23, 1996.



DEFENDANT: RONALD SMITH, M.D.  
 CASE NUMBER: 2:19-cr-00154-RFB-VCF

**SCHEDULE OF PAYMENTS**

Having assessed the defendant's ability to pay, payment of the total criminal monetary penalties is due as follows:

- A  Lump sum payment of \$ 50.00 due immediately, balance due.
  - not later than \_\_\_\_\_, or
  - in accordance with  C,  D,  E, or  F below; or
- B  Payment to begin immediately (may be combined with  C,  D, or  F below); or
- C  Payment in equal \_\_\_\_\_ (e.g., weekly, monthly, quarterly) installments of \$ \_\_\_\_\_ over a period of \_\_\_\_\_ (e.g., months or years), to commence \_\_\_\_\_ (e.g., 30 or 60 days) after the date of this judgment; or
- D  Payment in equal \_\_\_\_\_ (e.g., weekly, monthly, quarterly) installments of \$ \_\_\_\_\_ over a period of \_\_\_\_\_ (e.g., months or years), to commence \_\_\_\_\_ (e.g., 30 or 60 days) after release from imprisonment to a term of supervision; or
- E  Payment during the term of supervised release will commence within \_\_\_\_\_ (e.g., 30 or 60 days) after release from imprisonment. The court will set the payment plan based on an assessment of the defendant's ability to pay at that time; or
- F  Special instructions regarding the payment of criminal monetary penalties:

Unless the court has expressly ordered otherwise, if this judgment imposes imprisonment, payment of criminal monetary penalties is due during the period of imprisonment. All criminal monetary penalties, except those payments made through the Federal Bureau of Prisons' Inmate Financial Responsibility Program, are made to the clerk of the court.

The defendant shall receive credit for all payments previously made toward any criminal monetary penalties imposed.

- Joint and Several

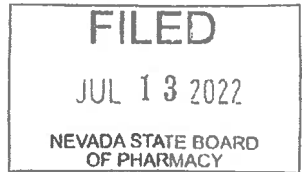
Case Number Defendant and Co-Defendant Names (including defendant number)	Total Amount	Joint and Several Amount	Corresponding Payee, if appropriate
---	--------------	-----------------------------	--

- The defendant shall pay the cost of prosecution.
- The defendant shall pay the following court cost(s):
- The defendant shall forfeit the defendant's interest in the following property to the United States:

Payments shall be applied in the following order: (1) assessment, (2) restitution principal, (3) restitution interest, (4) AVAA assessment, (5) fine principal, (6) fine interest, (7) community restitution, (8) JVA assessment, (9) penalties, and (10) costs, including cost of prosecution and court costs.

# **EXHIBIT 3**

# **EXHIBIT 3**



**BEFORE THE NEVADA STATE BOARD OF PHARMACY**

**NEVADA STATE BOARD OF PHARMACY,**

**Petitioner,**

**v.**

**RONALD SMITH, MD,  
Certificate of Registration No. CS13980,**

**Respondent.**

**CASE NO. 20-212-CS-S**

**STIPULATION AND ORDER**

Brett Kandt, General Counsel for Petitioner the Nevada State Board of Pharmacy (Board), and Respondent Ronald Smith, MD, Certificate of Registration No. CS13980, by and through counsel, Mark H. Hutchings, Esq., **HEREBY STIPULATE AND AGREE THAT:**

1. The Board has jurisdiction over Respondent and this matter.
2. On or about October 23, 2020, Respondent was served with the Notice of Intended Action and Accusation (Accusation) on file in this matter together with the Statement to Respondent and Notice of Hearing, and Respondent filed an Answer and Notice of Defense to the Accusation.
3. Respondent is fully aware of the right to seek the advice of counsel in this matter and obtained the advice of counsel prior to entering into this Stipulation.
4. Respondent is aware of the right to a hearing on the matters alleged in the Accusation, the right to reconsideration, the right to appeal and any and all other rights which may be accorded to him pursuant to NRS Chapter 233B (Nevada Administrative Procedure Act), NRS Chapter 622A (Administrative Procedure Before Certain Regulatory Bodies), and NRS Chapter 639 (Nevada Pharmacy Act).
5. Conditioned on the acceptance of this Stipulation by the Board, and with the exception of the right to challenge any determination that Respondent has failed to comply with the provisions of this Stipulation, Respondent hereby freely and voluntarily waives his rights to a

hearing, reconsideration, appeal and any and all other rights related to this action that may be accorded to him by NRS Chapter 233B (Nevada Administrative Procedure Act), NRS Chapter 622A (Administrative Procedure Before Certain Regulatory Bodies), and NRS Chapter 639 (Nevada Pharmacy Act).

6. Respondent admits that evidence exists, and that Board staff prosecuting this case could present such evidence at an administrative hearing, to establish a factual basis for the violations alleged in the Accusation, *to wit*:

A. On June 20, 2019, Respondent surrendered his DEA Certificate of Registration No. BS9687116 to the U.S. Drug Enforcement Administration by executing a DEA Form 104, entitled "Surrender for Cause";

B. On or about July 22, 2019, Respondent was served with notice that his surrender for cause operated as an immediate suspension of his Certificate of Registration No. CS13980 with the Board pursuant to NRS 639.2107; and

C. By surrendering his DEA Certificate of Registration No. BS9687116 for cause, Respondent has admitted to failing to comply with the Federal requirements pertaining to controlled substances, has committed an act that would render his registration inconsistent with the public interest, is no longer authorized by Federal law to dispense controlled substances, and is subject to discipline pursuant to NRS 453.236(1) and NRS 453.241(1).

7. In order to resolve this matter without incurring any further costs or the expense associated with a hearing, the Board and Respondent stipulate to the following penalties:

A. The certificate of registration of Respondent Ronald Smith, MD, Certificate of Registration No. CS13980, is hereby revoked pursuant to NRS 453.241(1)(b);

B. Respondent may not possess (except pursuant to the lawful order of a practitioner), administer, prescribe or dispense a controlled substance until he has petitioned the Board for reinstatement pursuant to NRS 639.257 and the Board reinstates his certificate of registration;

C. Pursuant to NRS 622A.410(1) and 639.257(1), Respondent may not petition for reinstatement of his certificate of registration for a period of one (1) year from the effective date of this Order; and

D. In the event Respondent applies for reinstatement of his certificate of registration, or applies for any other certificate, license or permit with the Board, he shall appear before the Board to answer questions and give testimony regarding his application, his compliance with this Order, and the facts and circumstances underlying this matter.

8. Any failure by Respondent to comply with the terms of this Order may result in issuance by the Executive Secretary of an order to show cause pursuant to NAC 639.965 directing Respondent to appear before the Board at the next regularly scheduled meeting for a show cause hearing. If such a hearing results in a finding of a violation of this Order by Respondent, the Board may impose additional discipline upon Respondent not inconsistent with the provisions of NRS Chapters 453 and 639.

9. General Counsel will present this Stipulation to the Board for approval pursuant to NRS 622.330 at the Board's regularly scheduled public meeting on July 13, 2022. Respondent or his counsel will appear at the meeting to answer questions from the Board Members and/or Board Staff. The Board Members and Staff may discuss and deliberate regarding this Stipulation, even if Respondent is not present at the meeting.

10. The Board has discretion to accept this Stipulation, but it is not obligated to do so. If this Stipulation is approved by the Board, it shall be a public record pursuant to NRS 622.330 and shall be reported to the National Practitioner Data Bank pursuant to 42 U.S.C. § 1396r-2 and 45 CFR Part 60.

11. If the Board rejects any part or all of this Stipulation, and unless they reach an alternative agreement on the record during the hearing, the parties agree that a full hearing on the merits of this matter may be heard by the Board. The terms and admissions herein may not be used or referred to in a full hearing on the merits of this matter.

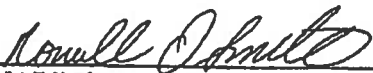
12. Subject to the approval of this Stipulation by the Board, the Board and Respondent agree to release each other from any and all additional claims arising from the facts set forth in the Accusation on file herein, whether known or unknown that might otherwise have existed on or before the effective date of this Order.


Respondent has fully considered the charges and allegations contained in the *Notice of Intended Action and Accusation* in this matter, and the terms of this Stipulation, and has freely and voluntarily agreed to the terms set forth herein, and waived certain rights, as stated herein.

AGREED:

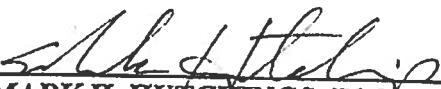
Signed this 6<sup>th</sup> day of June, 2022

Signed this 7<sup>th</sup> day of June, 2022

  
\_\_\_\_\_  
RONALD SMITH, MD,  
Certificate of Registration No. CS13980

  
\_\_\_\_\_  
BRETT KANET, ESQ.  
General Counsel  
Nevada State Board of Pharmacy

APPROVED AS TO FORM AND CONTENT  
this 6<sup>th</sup> day of June, 2022


  
\_\_\_\_\_  
MARK H. HUTCHINGS, ESQ.  
Counsel for Respondent

**DECISION AND ORDER**

The Nevada State Board of Pharmacy hereby adopts the foregoing Stipulation as its decision as to Ronald Smith, MD, Certificate of Registration No. CS13980, in Case No. 20-212-CS-S and hereby orders that the terms of the foregoing Stipulation be made effective upon execution below.

**IT IS SO ORDERED.**

Entered this 13<sup>th</sup> day of July, 2022.

  
\_\_\_\_\_  
Helen Park, Pharm.D.  
President  
Nevada State Board of Pharmacy

**BEFORE THE NEVADA STATE BOARD OF PHARMACY**

**NEVADA STATE BOARD OF PHARMACY,**

**CASE NO. 20-212-CS-S**

**Petitioner,**

**v.**

**NOTICE OF INTENDED ACTION  
AND ACCUSATION**

**RONALD SMITH, MD,  
Certificate of Registration No. CS13980,**

**Respondent.**

J. David Wuest, in his official capacity as Executive Secretary of the Nevada State Board of Pharmacy, makes the following that will serve as both a notice of intended action under Nevada Revised Statutes (“NRS”) 233B.127(3) and as an accusation under NRS 622A.300(1) and NRS 639.241.

**JURISDICTION**

1. The Nevada State Board of Pharmacy (Board) has jurisdiction over this matter because, at the time of the events alleged herein, Respondent Ronald Smith, MD, held a Nevada controlled substance registration, Certificate of Registration No. CS13980, issued by the Board.

**FACTUAL ALLEGATIONS**

2. On June 20, 2019, Respondent surrendered his DEA Certificate of Registration No. BS9687116 to the U.S. Drug Enforcement Administration by executing a DEA Form 104, entitled “Surrender for Cause” (DEA Surrender for Cause).

3. By executing the DEA Surrender for Cause, Respondent acknowledged in pertinent part the following:

In view of my alleged failure to comply with the Federal requirements pertaining to controlled substances or list 1 chemicals, and as an indication of my good faith in desiring to remedy any incorrect or unlawful practices on my part, I hereby surrender for cause my Drug Enforcement Administration (DEA) Certification of Registration.

4. On or about July 22, 2019, Board staff served Respondent with notice that his surrender of his DEA Certificate of Registration No. BS9687116 for cause operated as an

immediate suspension of his Certificate of Registration No. CS13980 with the Board pursuant to NRS 639.2107.

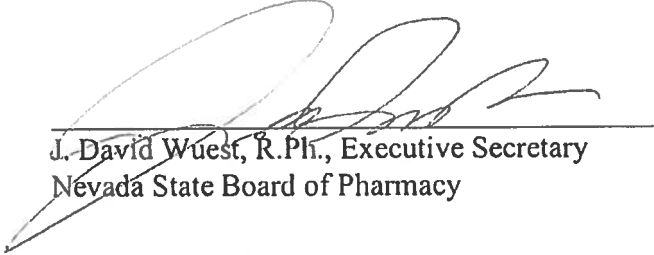
**FIRST CAUSE OF ACTION**  
**Surrender of DEA Registration for Cause**

5. By surrendering his DEA Certificate of Registration No. BS9687116 for cause, Respondent has admitted to failing to comply with the Federal requirements pertaining to controlled substances, has committed an act that would render his registration to dispense controlled substances inconsistent with the public interest, is no longer authorized by Federal law to dispense controlled substances, and is subject to discipline pursuant to NRS 453.236(1) and NRS 453.241(1).

6. By surrendering his DEA Certificate of Registration No. BS9687116 for cause, the suspension of Respondent's Certificate of Registration No. CS13980 pursuant to NRS 639.2107 is subject to review by the Board pursuant to NRS 453.236(1) and NRS 639.255(1)(c).

WHEREFORE it is requested that the Nevada State Board of Pharmacy take appropriate disciplinary action with respect to the certificate of registration of this Respondent.

Signed this 7<sup>th</sup> day of October, 2020.

  
\_\_\_\_\_  
J. David Wuest, R.Ph., Executive Secretary  
Nevada State Board of Pharmacy



**NOTICE TO RESPONDENT**

You have the right to show the Nevada State Board of Pharmacy that your conduct, as alleged above, complies with all lawful requirements. NRS 233B.127(3). You have the right to a hearing before the Board to answer the Notice of Intended Action and Accusation and present evidence and argument on all issues involved, either personally or through counsel. NRS 233B.121; NRS 233B.127(3); NRS 622A.300(1) and (3); NRS 639.241. To do so, you must complete and file two (2) copies of the Answer and Notice of Defense served herewith, to be received by the Board's Reno office located at 985 Damonte Ranch Parkway – Suite 206, Reno, Nevada 89521, within twenty (20) days of your receipt of this Notice of Intended Action and Accusation. NRS 622A.320; NRS 639.243. Your failure to timely file an Answer and Notice of Defense constitutes an admission of the charges and waiver of the right to a hearing. NRS 639.244. If you fail to appear at the hearing and the Board finds that you were given sufficient legal notice of the hearing, the Board may accept the allegations as true and may proceed to consider the case and render a decision. NRS 622A.350.

**BEFORE THE NEVADA STATE BOARD OF PHARMACY**

**NEVADA STATE BOARD OF PHARMACY,**

**CASE NO. 20-212-CS-S**

**Petitioner,**

**v.**

**RONALD SMITH, MD,  
Certificate of Registration No. CS13980,**

**STATEMENT TO  
THE RESPONDENT  
AND NOTICE OF HEARING**

**Respondent.**

**TO THE RESPONDENT ABOVE-NAMED: PLEASE TAKE NOTICE THAT:**

**I.**

Pursuant to the authority and jurisdiction conferred upon the Nevada State Board of Pharmacy (Board) by NRS 639.241 to NRS 639.2576, inclusive, and NRS chapter 233B and 622A, a Notice of Intended Action and Accusation has been filed with the Board by the Petitioner, J. David Wuest, Executive Secretary for the Board, alleging grounds for imposition of disciplinary action by the Board against you, as is more fully explained and set forth in the Notice of Intended Action and Accusation served herewith and hereby incorporated reference herein.

**II.**

You have the right to show the Nevada State Board of Pharmacy that your conduct, as alleged above, complies with all lawful requirements. NRS 233B.127(3). You have the right to a hearing before the Board to answer the Notice of Intended Action and Accusation and present evidence and argument on all issues involved, either personally or through counsel. NRS 233B.121; NRS 233B.127(3); NRS 622A.300(1) and (3); NRS 639.241. To do so, you must complete and file two (2) copies of the Answer and Notice of Defense served herewith, to be received by the Board's Reno office located at 985 Damonte Ranch Parkway – Suite 206, Reno, Nevada 89521, within twenty (20) days of your receipt of this Statement and Notice, and of the Notice of Intended Action and Accusation served within. NRS 622A.320; NRS 639.243.

III.

**The Board has scheduled your hearing on this matter for Wednesday, December 2, 2020, 9:00 a.m. or soon thereafter. Pursuant to Governor Steve Sisolak's Emergency Directive 006, there will be no physical location for this meeting. The meeting can be listened to or viewed live over Zoom.**

**Via Videoconference at Zoom: <https://zoom.us/j/5886256671>**

**or**

**Via Teleconference at 1 (669) 900-6833**

**Meeting ID: 588 625 6671**

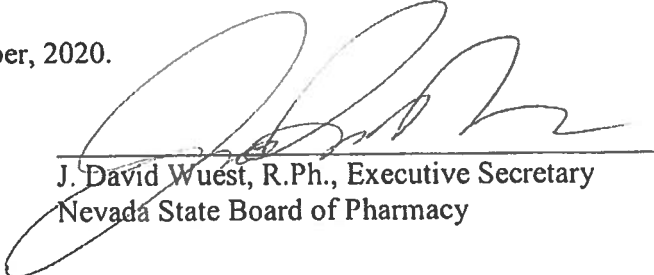
IV.

Pursuant to NRS 241.033 and 241.034, please be advised that the hearing is a public meeting, and the Board may, without further notice, take administrative action against you if the Board determines that such administrative action is warranted after considering your character, alleged misconduct, professional competence, or physical or mental health. The Board at its discretion may go into closed session to consider your character, alleged misconduct, professional competence, or physical or mental health. You may attend any closed session, have an attorney or other representative of your choosing present during any closed session, and present written evidence, provide testimony, and present witnesses relating to your character, alleged misconduct, professional competence, or physical or mental health during any closed session.

V.

Your failure to timely file an Answer and Notice of Defense constitutes an admission of the charges and waiver of the right to a hearing. NRS 639.244. If you fail to appear at the hearing and the Board finds that you were given sufficient legal notice of the hearing, the Board may accept the allegations as true and may proceed to consider the case and render a decision. NRS 622A.350.

DATED this 23<sup>rd</sup> day of October, 2020.

  
\_\_\_\_\_  
J. David Wuest, R.Ph., Executive Secretary  
Nevada State Board of Pharmacy

**BEFORE THE NEVADA STATE BOARD OF PHARMACY**

**NEVADA STATE BOARD OF PHARMACY,**

**Petitioner,**

**v.**

**RONALD SMITH, MD,  
Certificate of Registration No. CS13980,**

**Respondent.**

**CASE NO. 20-212-CS-S**

**ANSWER AND NOTICE  
OF DEFENSE**

Respondent above named, in answer to the Notice of Intended Action and Accusation filed in the above-entitled matter before the Nevada State Board of Pharmacy, declares:

1. That her objection to the Notice of Intended Action and Accusation as being incomplete or failing to state clearly the charges against her, is hereby interposed on the following grounds: (State specific objections or insert "none").

2. That, in answer to the Notice of Intended Action and Accusation, she admits, denies and alleges as follows:

I hereby declare, under penalty of perjury, that the foregoing Answer and Notice of Defense, and all facts therein stated, are true and correct to the best of my knowledge.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
**RONALD SMITH, MD**