



1           4.     Patient A became pregnant in sometime in August with a last menstrual period of  
2 August 5, 2021.

3           5.     On September 15, 2021, Patient A presented to Respondent's practice for prenatal  
4 care at which time Patient A underwent an initial ultrasound and laboratory testing. Patient A's  
5 lab work showed a quantitative human chorionic gonadotropin (HCG) level of 28549 which is  
6 consistent with five (5) weeks of pregnancy.

7           6.     On September 19, 2021, Patient A was prescribed Doxycycline to treat a suspected  
8 infection, which is contraindicated during pregnancy, by an APRN at Respondent's practice.

9           7.     On September 22, 2021, Patient A returned to Respondent's practice for a repeat  
10 ultrasound. The ultrasound was interpreted by a nurse who informed Patient A that the fetus had  
11 not grown and was not viable. Patient A was scheduled for a dilation and curettage to terminate  
12 the pregnancy.

13           8.     On September 29, 2021, Patient A presented to Respondent for a dilation and  
14 curettage to terminate her pregnancy. Following the procedure, Respondent sent a blood sample  
15 from Patient A during the procedure for laboratory testing. Testing revealed no fetal parts in the  
16 blood sampled.

17           9.     On October 6, 2021, Patient A presented to Respondent for a follow-up  
18 appointment after the dilation and curettage, which the Respondent had deemed as failed. An  
19 ultrasound was performed which Respondent documented as showing an irregular gestational sac  
20 with no fetal pole or yolk sac. Respondent maintained the diagnosis that the fetus was nonviable  
21 and prescribed Patient A the medication Cytotec to induce an abortion, which is also  
22 contraindicated during pregnancy.

23           10.    On October 6, 2021, Patient A presented to the emergency department at a local  
24 hospital immediately following her appointment with Respondent. Ultrasound testing at the  
25 hospital revealed a viable intrauterine pregnancy with an estimated gestational age of eight (8)  
26 weeks and one (1) day.

27           11.    Patient A subsequently continued on to deliver her pregnancy on April 24, 2021.

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COUNT I

**NRS 630.301(4) - Malpractice**

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

13. NRS 630.301(4) provides that malpractice of a physician is grounds for initiating disciplinary action against a licensee.

14. NAC 630.040 defines malpractice as “the failure of a physician, in treating a patient, to use the reasonable care, skill, or knowledge ordinarily used under similar circumstances.”

15. As demonstrated by, but not limited to, the above-outlined facts, Respondent failed to use the reasonable care, skill or knowledge ordinarily used under similar circumstances when rendering medical services to Patient A by failing adequately interpret Patient A’s ultrasound images and normal laboratory test results demonstrating a viable pregnancy, and erroneously informed Patient A that she was carrying a non-viable fetus. Respondent further committed malpractice by performing a dilation and curettage to terminate Patient A’s desired pregnancy.

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

COUNT II

**NRS 630.301(4) - Malpractice**

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

18. NRS 630.301(4) provides that malpractice of a physician is grounds for initiating disciplinary action against a licensee.

19. NAC 630.040 defines malpractice as “the failure of a physician, in treating a patient, to use the reasonable care, skill, or knowledge ordinarily used under similar circumstances.”

20. As demonstrated by, but not limited to, the above-outlined facts, Respondent failed to use the reasonable care, skill or knowledge ordinarily used under similar circumstances when

1 rendering medical services to Patient A by failing to adequately supervise medical staff who  
2 prescribed Doxycycline to Patient A during pregnancy which is contraindicated. Respondent  
3 further committed malpractice by prescribing Patient A the medication Cytotec to induce  
4 termination of her desired pregnancy on October 6, 2021, which is contraindicated during  
5 pregnancy.

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

8 **COUNT III**

9 **NRS 630.306(1)(g) - Continual Failure to Exercise Skill or Diligence**

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

12 23. Continual failure by the Respondent to exercise the skill or diligence or use the  
13 methods ordinarily exercised under the same circumstances by physicians in good standing  
14 practicing in the same specialty or field is grounds for disciplinary action against a licensee  
15 pursuant to NRS 630.306(1)(g).

16 24. Respondent continually failed to exercise skill or diligence as demonstrated by his  
17 repeated reliance on his staff's interpretations of ultrasound testing, repeated failure to appreciate  
18 laboratory results demonstrating the viability of Patient A's pregnancy, and prescription of  
19 contraindicated drugs to Patient A.

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

22 **COUNT IV**

23 **NRS 630.306(1)(b)(2) – Failure to Adequately Supervise a Medical Assistant**

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

26 27. Violation of a standard of practice adopted by the Board is grounds for disciplinary  
27 action pursuant to NRS 630.306(1)(b)(2).

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1           28. Pursuant to NAC 630.230(1)(g-i) it is prohibited professional conduct for a  
2 physician to fail to provide adequate supervision of a medical assistant, physician assistant and  
3 APRN.

4           29. Respondent failed to provide adequate supervision of medical staff by reliance on  
5 incorrect ultrasound interpretations and the delivery of prescriptions for contraindicated drugs by  
6 medical staff during Patient A's care.

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

9 **WHEREFORE**, the Investigative Committee prays:

10           1. That the Board give Respondent notice of the charges herein against him and give  
11 him notice that he may file an answer to the Complaint herein as set forth in  
12 NRS 630.339(2) within twenty (20) days of service of the Complaint;

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

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

17           4. That the Board award fees and costs for the investigation and prosecution of this  
18 case as outlined in NRS 622.400;

19           5. That the Board make, issue and serve on Respondent its findings of fact,  
20 conclusions of law and order, in writing, that includes the sanctions imposed; and

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OFFICE OF THE GENERAL COUNSEL

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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 3<sup>rd</sup> day of November, 2023.

INVESTIGATIVE COMMITTEE OF THE  
NEVADA STATE BOARD OF MEDICAL EXAMINERS

By:

  
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*Attorney for the Investigative Committee*

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**VERIFICATION**

STATE OF NEVADA        )  
                                  : ss.  
COUNTY OF CLARK     )

Aury Nagy, 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 3rd day of November, 2023.

INVESTIGATIVE COMMITTEE OF THE  
NEVADA STATE BOARD OF MEDICAL EXAMINERS

By:



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AURY NAGY, M.D.  
*Chairman of the Investigative Committee*