

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. 23-41719-1

6 **Against:**

7 **STEPHANIE ANN SHIBATA, PA-C,**

8 **Respondent.**

**FILED**

NOV 15 2023

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 Stephanie Ann Shibata, PA-C (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 relevant to this Complaint a physician assistant holding  
18 an active license to practice medicine in the State of Nevada (License No. PA1480). Respondent  
19 was originally licensed by the Board on December 16, 2013.

20                   2.       Patient A<sup>2</sup> was a twenty-five (25) year-old female at the time of the events at issue.

21                   3.       Patient A was hospitalized and diagnosed with a shoulder abscess with  
22 osteomyelitis, deep vein thrombosis, and sickle cell crisis.

23                   4.       On January 22, 2019, Patient A was discharged from the hospital with plans to  
24 have home healthcare check on Patient A, draw and monitor regular labs, and to assist with  
25 administration of antibiotics.

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27                   <sup>1</sup> The Investigative Committee of the Nevada State Board of Medical Examiners, at the time this formal  
28 Complaint was authorized for filing, was composed of Board members Bret W. Frey, M.D., Chowdhury H. Ahsan,  
M.D., Ph.D, FACC, and Col. Eric D. Wade, USAF (Ret.).

<sup>2</sup> Patient A's true identity is not disclosed herein to protect her privacy, but is disclosed in the Patient  
Designation served upon Respondent along with a copy of this Complaint.

1           5.     Patient A's records from her hospital visit show that her potassium level were  
2 within normal range.

3           6.     Additionally, as part of Patient A's post-discharge plan, Patient A was to be  
4 examined by physicians or physician assistants at the Clinical Infectious Disease Specialists  
5 (CIDS) Clinic. At all times relevant to this Complaint, Respondent was employed by CIDS as a  
6 physician assistant.

7           7.     On February 4, 2019, a visiting nurse drew blood from Patient A at Patient A's  
8 home. On February 5, 2019, lab results were obtained and showed that Patient A had critical  
9 laboratory levels showing a high potassium level of 7.4 mEq/L, indicating hyperkalemia. The lab  
10 results were faxed to CIDS on February 6, 2019.

11          8.     Hyperkalemia is defined as an elevated potassium level greater than 5-5.5 mEq/L.  
12 Any acute potassium level greater than 6 mEq/L is considered clinically significant.

13          9.     On February 11, 2019, Patient A presented to CIDS Clinic and was seen by  
14 Respondent. Respondent reviewed the laboratory results from February 5, 2019, with Patient A.

15          10.    Respondent's original clinic notes from February 11, 2019, do not mention  
16 Patient A's abnormal potassium level nor do they document that Respondent spoke to Patient A  
17 about the abnormal potassium level.

18          11.    Respondent's medical records from February 11, 2019, do not indicate that  
19 Respondent ordered or recommended an electrocardiogram (EKG), to determine any cardiac  
20 changes in Patient A as a result of Patient A's acute elevation of potassium.

21          12.    Respondent's medical records from February 11, 2019, further do not indicate that  
22 Respondent ordered or recommended immediate repeat testing of Patient A's potassium levels, to  
23 determine the accuracy of Patient A's labs and to exclude the possibility of pseudohyperkalemia.

24          13.    On or about February 11, 2019, a visiting nurse once again drew Patient A's blood.  
25 Lab results were obtained from Patient A, showing high potassium levels of greater than 8 mEq/L.  
26 CIDS received the lab results on or about February 13, 2019.

27          14.    On February 13, 2019, Patient A passed away after suffering cardiopulmonary  
28 arrest.



1 Patient A, whose medical records were not timely, legible, accurate, and complete.  
2 On February 11, 2019, Respondent did not document Patient A's hyperkalemia, its potentially  
3 life-threatening consequences, and Respondent's recommendations in a timely manner.  
4 Respondent further did not timely document in the clinic note on February 11, 2019, of the  
5 potassium level of 7.4, renal function, or discussion of Patient A's potassium levels and risks  
6 associated with it. Respondent further did not document on February 11, 2019, any  
7 recommendation for Patient A to immediately go to the emergency room.

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

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

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

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

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

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

20 5. That the Board make, issue and serve on Respondent its findings of fact,  
21 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 15<sup>th</sup> day of November, 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*

VERIFICATION

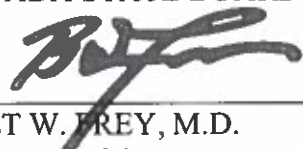
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STATE OF NEVADA            )  
  : ss.  
COUNTY OF WASHOE        )

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 15th day of November, 2023.

INVESTIGATIVE COMMITTEE OF THE  
NEVADA STATE BOARD OF MEDICAL EXAMINERS

By:   
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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 15th day of November, 2023, I served a file-stamped copy of the foregoing **COMPLAINT and PATIENT DESIGNATION** via U.S Certified Mail to:

STEPHANIE ANN SHIBATA, PA-C  
c/o Heather Hall, Esq.  
McBride Hall  
8329 W. Sunset Road, Suite 260  
Las Vegas, NV 89113

Tracking No.: 9171 9690 0935 0241 5620 12

DATED this 15<sup>th</sup> day of November, 2023.

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