

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. 23-28372-1**

6 **Against:**

**FILED**

7 **ZHENG KUN LIU, M.D.,**

**JAN 30 2023**

8 **Respondent.**

9 **NEVADA STATE BOARD OF  
MEDICAL EXAMINERS**

By: 

10 **COMPLAINT**

11 The Investigative Committee<sup>1</sup> (IC) of the Nevada State Board of Medical Examiners  
12 (Board), by and through Ian J. Cumings, Deputy General Counsel and attorney for the IC, having  
13 a reasonable basis to believe that Zheng Kun Liu, M.D. (Respondent) violated the provisions of  
14 Nevada Revised Statutes (NRS) Chapter 630 and Nevada Administrative Code (NAC) Chapter  
15 630 (collectively, the Medical Practice Act), hereby issues its Complaint, stating the IC's charges  
16 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. 10712). Respondent was  
19 originally licensed by the Board on November 25, 2003.

20 2. Patient A<sup>2</sup> was a six (6) year-old male at the time of the events at issue.

21 3. On April 6, 2019, Patient A presented to an urgent care after a two-day history of  
22 severe headaches, nausea, vomiting with blood, and lethargy. The patient did not have diarrhea,  
23 hematemesis, head injury, or fever.

24 ///

25 ///

26  
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 (Ret.).

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

1           4.       Patient A was seen by Respondent, who briefly examined him and documented his  
2 appearance as ill and lethargic. Respondent noted Patient A’s neck was supple but failed to either  
3 perform or document a detailed examination of Patient A’s neck.

4           5.       Respondent failed to order any diagnostic testing or perform an adequate  
5 neurologic examination. There is no documented testing of Patient A’s gait, mental status, or  
6 other basic components of a neurological examination.

7           6.       Respondent made a putative diagnosis of acute gastroenteritis and prescribed  
8 Zofran, an anti-nausea medication, and released Patient A without referring him for testing, or to a  
9 pediatric emergency room for a higher level of care given his lethargy and clinical presentation.

10          7.       On April 7, 2019, Patient A’s condition worsened, and he was taken to the pediatric  
11 emergency department, where within an hour, he was diagnosed as having meningitis. During  
12 Patient A’s hospital course, he required ventilation for ten (10) days, and suffered small strokes as  
13 a complication of his brain edema. As a result, Patient A was left with a difficult gait, seizures,  
14 and permanent deafness.

15   **COUNT I**

16   **NRS 630.301(4) - Malpractice**

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

19          9.       NRS 630.301(4) provides that malpractice of a Physician is grounds for initiating  
20 disciplinary action against a licensee.

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

24          11.      As demonstrated by, but not limited to, the above-outlined facts, Respondent failed  
25 to use the reasonable care, skill or knowledge ordinarily used under similar circumstances when  
26 rendering medical services to Patient A. Respondent failed to identify clear signs of meningitis in  
27 a six-year-old patient who presented as lethargic with headaches, vomiting, and nausea.  
28 Respondent’s failure to adequately examine Patient A by neglecting to perform an appropriate

1 neurologic examination and respond accordingly to Patient A's symptoms led to a delay in the  
2 time sensitive diagnosis of meningitis.

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

5 **COUNT II**

6 **NRS 630.3062(1)(a) - Failure to Maintain Proper Medical Records**

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

9 14. NRS 630.3062(1)(a) provides that the "failure to maintain timely, legible, accurate  
10 and complete medical records relating to the diagnosis, treatment and care of a patient" constitute  
11 grounds for initiating discipline against a licensee.

12 15. Respondent failed to maintain complete medical records relating to the diagnosis,  
13 treatment, and care of Patient A, by failing to correctly document his actions when he treated  
14 Patient A, whose medical records were not timely, legible, accurate, and complete.

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

17 **COUNT III**

18 **NRS 630.306(1)(b)(2) - Violation of Standards of Practice Established by Regulation –**  
19 **Consultation**

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

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

24 19. NAC 630.210 requires a physician to "seek consultation with another provider of  
25 health care in doubtful or difficult cases whenever it appears that consultation may enhance the  
26 quality of medical services."

27 20. Respondent failed to timely seek consultation with regard to Patient A's medical  
28 condition on April 6, 2019. Respondent should have consulted with an appropriate care provider

1 to address the doubtfulness of the diagnosis of Patient A's medical condition and such a timely  
2 consultation would have confirmed or denied such a diagnosis and may have enhanced the quality  
3 of medical care provided to the patient regarding Patient A's diagnosis of meningitis.

4 21. By reason of the foregoing, Respondent is subject to discipline by the Nevada State  
5 Board of Medical Examiners as provided in NRS 630.352.

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

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

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

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

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

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

18 6. That the Board take such other and further action as may be just and proper in these  
19 premises.

20 DATED this 28 day of January, 2023.

21 INVESTIGATIVE COMMITTEE OF THE  
22 NEVADA STATE BOARD OF MEDICAL EXAMINERS

23 By:

24 IAN J. CUMINGS  
25 Deputy General Counsel  
26 9600 Gateway Drive  
27 Reno, NV 89521  
28 Tel: (775) 688-2559  
Email: [icumings@medboard.nv.gov](mailto:icumings@medboard.nv.gov)  
*Attorney for the Investigative Committee*

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


**VERIFICATION**

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 30<sup>th</sup> day of January, 2023.

INVESTIGATIVE COMMITTEE OF THE  
NEVADA STATE BOARD OF MEDICAL EXAMINERS

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