

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. 23-10414-1**

6 **Against:**

7 **SASSAN KAVEH, M.D.,**

8 **Respondent.**

**FILED**

**MAY - 8 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 Sassan Keveh, M.D., (Respondent) violated the provisions  
14 of 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. 8320). Respondent was  
19 originally licensed by the Board on July 18, 1997.

20 2. Respondent also, at all times relative to this Complaint, held an active Nevada  
21 Controlled Substance Registration, Certificate No. CS08877, issued by the Nevada State Board of  
22 Pharmacy (Pharmacy Board).

23 3. On or about August 25, 2021, Respondent was served with the First Amended  
24 Notice of Intended Action and Accusation (Accusation) by the Pharmacy Board, alleging that in  
25 2021 Respondent violated various statutes and regulations within the Pharmacy Board's  
26 jurisdiction.

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 Bret W. Frey, M.D., and Col. Eric D. Wade,  
USAF (Ret.).

1 4. In pertinent part, the Pharmacy Board Accusation alleged that Respondent  
2 prescribed Edarbyclor, a dangerous drug, to a patient, and that the patient subsequently returned  
3 the unused medication to Respondent. The Pharmacy Board Accusation further alleged that  
4 Respondent then dispensed the unused Edarbyclor to another patient, in the original container with  
5 the original label as dispensed to the first patient. The Pharmacy Board further alleged that  
6 Respondent dispensed this medication without a valid dispensing practitioner registration.

7 5. On or about October 15, 2021, Respondent and the Pharmacy Board entered into a  
8 “Stipulation and Order” (Pharmacy Board Stipulation), hereto attached as **Exhibit 1**, whereby  
9 Respondent did not contest the allegations in the Accusation and acknowledged that counsel for  
10 the Pharmacy Board “could present such evidence at an administrative hearing to establish a  
11 factual basis” for violations against him.

12 6. Respondent accepted the Pharmacy Board Stipulation “as a public reprimand  
13 regarding his duties and responsibilities as a prescribing practitioner,” and agreed to pay a fine and  
14 also to reimburse the Pharmacy Board for a portion of the costs incurred in investigating and  
15 prosecuting the matter.

16 **COUNT I**

17 **NRS 630.306(1)(b)(3) – Violation of Statutes and Regulations of the Nevada State**  
18 **Board of Pharmacy**

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

21 8. Respondent is a practitioner as defined by NRS 639.0125(1), as a physician who  
22 holds a license to practice medicine in the State of Nevada.

23 9. NRS 630.306(1)(b)(3) provides that engaging in conduct that violates a provision  
24 of Chapter 639 of NRS, or a regulation adopted by the Pharmacy Board pursuant thereto, that is  
25 applicable to a licensee who is a practitioner, as defined in NRS 639.0125, is grounds for initiating  
26 discipline against a licensee.

27 10. Respondent acknowledged the evidence against him would prove violations of  
28 NRS Chapter 639 when he entered into the Pharmacy Board Stipulation. Respondent further

1 accepted the Pharmacy Board Stipulation “as a public reprimand regarding his duties and  
2 responsibilities as a prescribing practitioner.” See Exhibit 1. Respondent thereby engaged in  
3 conduct that violated a provision of Chapter 639 of NRS, or a regulation adopted by the Pharmacy  
4 Board pursuant thereto.

5 11. By reason of the foregoing, Respondent is subject to discipline by the Board as  
6 provided in NRS 630.306(1)(b)(3) and NRS 630.352.

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

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

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

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

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

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

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

21 DATED this 8th day of May, 2023.

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

24 By: 

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

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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 8th day of May, 2023.

INVESTIGATIVE COMMITTEE OF THE  
NEVADA STATE BOARD OF MEDICAL EXAMINERS

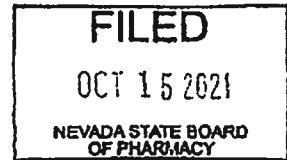
By: 

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BRET W. FREY, M.D.

*Chairman of the Investigative Committee*

# **EXHIBIT 1**

# **EXHIBIT 1**



**BEFORE THE NEVADA STATE BOARD OF PHARMACY**

**NEVADA STATE BOARD OF PHARMACY,**

**Petitioner,**

**v.**

**SASSAN KAVEH, MD,  
Certificate of Registration No. CS08877,**

**Respondent.**

**CASE NO. 21-051-CS-N**

**STIPULATION AND ORDER**

Brett Kandt, General Counsel for Petitioner the Nevada State Board of Pharmacy (Board), and Respondent Sassan Kaveh, MD, Certificate of Registration No. CS08877, by and through counsel, Keith A. Weaver, Esq. and Melanie L. Thomas, Esq., **HEREBY STIPULATE AND AGREE THAT:**

1. The Board has jurisdiction over Respondent and this matter.
2. On or about August 25, 2021, Respondent was served with the First Amended Notice of Intended Action and Accusation (Accusation) on file in this matter together with the Statement to Respondent and Notice of Hearing.
3. On or about September 24, 2021, Respondent filed an Answer and Notice of Defense to the Accusation.
4. 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.
5. 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).

6. 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).

7. Respondent does not contest the allegations in the Accusation, but acknowledges 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*, that:

A. Respondent dispensed a dangerous drug to a patient without a valid dispensing practitioner registration, in violation of NRS 453.226, NRS 453.321, NRS 453.377, NRS 453.381, NRS 454.215, NRS 454.221, NRS 454.321, NRS 454.356, NRS 639.100, NRS 639.23505 and/or NAC 639.742;

B. Respondent redispensed unused medication and thus a misbranded, mislabeled and potentially adulterated drug in violation of NRS 585.410, NRS 585.520, NRS 639.2801, NRS 639.282(1), NAC 639.601(1) and/or NAC 639.760; and

C. Respondent has performed his duties as the holder of a Nevada controlled substance registration in an incompetent, unskillful or negligent manner and engaged in unprofessional conduct as defined in NAC 639.945(1)(i) and (k), and committed an act that renders registration inconsistent with the public interest.

8. Those violations are plead with particularity in the Accusation, and are grounds for action pursuant to NRS 453.236(1), NRS 453.241(1), NRS 639.210 and NRS 639.255.

9. To resolve this matter without incurring any further costs or the expense associated with a hearing, the Board and Respondent Sassan Kaveh, MD, Certificate of Registration No. CS08877, stipulate to the following penalties:

A. Respondent shall accept this Stipulation and Order as a public reprimand regarding his duties and responsibilities as a prescribing practitioner;

B. Respondent shall pay a fine of Three Thousand Dollars (\$3000.00) for the violations, payable by *cashier's check* or *certified check* or *money order* made payable to "State of Nevada, Office of the Treasurer," to be received by the Board's Reno office located at 985 Damonte Ranch Parkway – Suite 206, Reno, Nevada 89521, within thirty (30) days of the effective date of this Order;

C. Respondent shall pay One Thousand Five Hundred Dollars (\$1500.00) to partially reimburse the Board for recoverable attorney's fees and costs incurred in investigating and prosecuting this matter, payable by *cashier's check* or *certified check* or *money order* made payable to "Nevada State Board of Pharmacy," to be received by the Board's Reno office located at 985 Damonte Ranch Parkway – Suite 206, Reno, Nevada 89521, within thirty (30) days of the effective date of this Order; and

D. Respondent shall comply with all federal and state statutes and regulations regarding controlled substances and dangerous drugs.

10. 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 that 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 consistent with the provisions of NRS Chapter 453 and/or Chapter 639.

11. 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 October 13, 2021. Respondent 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.



12. 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.

13. 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.

14. 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 1 day of October, 2021

Signed this 1<sup>st</sup> day of October, 2021



SASSAN KAVEH, MD,  
Certificate of Registration No. CS08877



BRETT KANDT, ESQ.  
General Counsel  
Nevada State Board of Pharmacy

APPROVED AS TO FORM AND CONTENT  
this 1<sup>st</sup> day of October, 2021



KEITH A. WEAVER, ESQ.  
MELANIE L. THOMAS, ESQ.  
Counsel for Respondent

**DECISION AND ORDER**

The Nevada State Board of Pharmacy hereby adopts the foregoing Stipulation as its decision as to Sassan Kaveh, MD, Certificate of Registration No. CS08877, in Case No. 21-051-CS-N 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 October, 2021.



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

**CERTIFICATE OF SERVICE**

I certify that I am an employee of the Nevada State Board of Pharmacy, and that on this 15<sup>th</sup> day of October, 2021, I served a true and correct copy of the foregoing document by Certified U.S. Mail to the following:

Keith L. Weaver, Esq.  
Melanie L. Thomas, Esq.  
Lewis Brisbois Bisgaard & Smith LLP  
6385 S. Rainbow Blvd., Suite 600  
Las Vegas, NV 89118

  
\_\_\_\_\_  
KRISTOPHER MANGOSING

BEFORE THE BOARD OF MEDICAL EXAMINERS  
OF THE STATE OF NEVADA

\* \* \* \* \*

In the Matter of Charges and Complaint

Case No. 23-10414-1

Against:

FILED

SASSAN KAVEH, M.D.

SEP 08 2023

Respondent.

NEVADA STATE BOARD OF  
MEDICAL EXAMINERS

By: 

ERRATA TO COMPLAINT

The Investigative Committee (IC) of the Nevada State Board of Medical Examiners (Board), by and through William P. Shogren, Deputy General Counsel and attorney for the IC hereby submit this Errata to its Complaint in Case No. 23-10414-1, filed May 8, 2023, and should be appended thereto. An inadvertent clerical error was discovered on page 1, footnote 1, and should read as follows in its entirety:

“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., Chair, Chowdhury H. Ahsan, M.D., Ph.D., FACC, and Col. Eric D. Wade, USAF (Ret).”

DATED this 8th day of September, 2023.

INVESTIGATIVE COMMITTEE OF THE  
NEVADA STATE BOARD OF MEDICAL EXAMINERS

By: 

WILLIAM P. SHOGREN

Deputy General Counsel

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Reno, NV 89521

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Email: [shogrenw@medboard.nv.gov](mailto:shogrenw@medboard.nv.gov)

Attorney for the Investigative Committee