

1 AVM, which would entail blocking blood supply to the AVM. Patient A also agreed to the
2 performance of a Wada-Milner Test prior to the embolization, to evaluate for eloquence and avoid
3 potential complications during embolization.

4 5. Patient A returned to Respondent on June 10, 2020, where Respondent performed
5 the Wada-Milner Test. After this procedure, Respondent noted a negative selective pre-
6 embolization test.

7 6. Respondent then performed an embolization of the anterior right choroidal artery
8 on June 10, 2020. Respondent also embolized a branch off the right posterior cerebral artery, but
9 there is no record of a pre-embolization Wada-Milner Test done in this branch.

10 7. After the embolization procedures, images showed significantly decreased
11 posterior circulation on the right side of Patient A's brain, indicating impending stroke.
12 Respondent's post-surgical notes do not mention the significantly decreased posterior circulation.

13 8. Shortly after the procedures on June 10, 2020, Patient A suffered from seizures
14 with associated left side body weakness and peripheral visual loss.

15 **COUNT I**

16 **NRS 630.301(4) - Malpractice**

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

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

21 11. 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 12. 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, by failing, during Patient A's June 10, 2020, procedure,
27 to perform a selective Wada-Milner Test in a branch off Patient A's right posterior cerebral artery,
28 prior to embolizing that branch.

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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 28th day of May, 2024

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
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 28th day of May, 2024.

INVESTIGATIVE COMMITTEE OF THE
NEVADA STATE BOARD OF MEDICAL EXAMINERS

By:



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