BEFORE THE BOARD OF MEDICAL EXAMINERS OF THE STATE OF NEVADA

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Respondent.

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Against:

In the Matter of Charges and Complaint

SAMIR HADI, M.D.,

Case No. 24-49326-1

FILED

MAY 2 8 2024

NEVADA STATE BOARD OF MEDICAL EXAMINERS By:

COMPLAINT

The Investigative Committee¹ (IC) of the Nevada State Board of Medical Examiners (Board), by and through William P. Shogren, Deputy General Counsel and attorney for the IC, having a reasonable basis to believe that Samir Hadi, M.D. (Respondent) violated the provisions of Nevada Revised Statutes (NRS) Chapter 630 and Nevada Administrative Code (NAC) Chapter 630 (collectively, the Medical Practice Act), hereby issues its Complaint, stating the IC's charges and allegations as follows:

- 1. Respondent was at all times relative to this Complaint a medical doctor holding an active license to practice medicine in the State of Nevada (License No. 18477) and has a specialty in radiology/diagnostic. Respondent was originally licensed by the Board on November 30, 2018.
 - 2. Patient A^2 was a fifty-two (52) year-old male at the time of the events at issue.
- 3. Patient A first presented to Respondent, an interventional radiologist, on May 5, 2020, to discuss previous findings of an arteriovenous malformation (AVM) in Patient A's brain³.
- 4. On May 19, 2020, Respondent performed a diagnostic angiogram on Patient A. Afterwards, Patient A agreed to undergo embolization of the right choroidal artery to treat the

¹ 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., Col. Eric D. Wade, USAF 9Ret.), and Carl N. Williams, Jr., M.D., FACS.

² 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.

³ An AVM is a tangle of blood vessels in the brain, which can cause seizures.

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

- Patient A returned to Respondent on June 10, 2020, where Respondent performed 5. After this procedure, Respondent noted a negative selective prethe Wada-Milner Test. embolization test.
- Respondent then performed an embolization of the anterior right choroidal artery 6. on June 10, 2020. Respondent also embolized a branch off the right posterior cerebral artery, but there is no record of a pre-embolization Wada-Milner Test done in this branch.
- After the embolization procedures, images showed significantly decreased 7. posterior circulation on the right side of Patient A's brain, indicating impending stroke. Respondent's post-surgical notes do not mention the significantly decreased posterior circulation.
- Shortly after the procedures on June 10, 2020, Patient A suffered from seizures 8. with associated left side body weakness and peripheral visual loss.

COUNT I

NRS 630.301(4) - Malpractice

- All of the allegations contained in the above paragraphs are hereby incorporated by 9. reference as though fully set forth herein.
- NRS 630.301(4) provides that malpractice of a physician is grounds for initiating 10. disciplinary action against a licensee.
- NAC 630.040 defines malpractice as "the failure of a physician, in treating a 11. patient, to use the reasonable care, skill, or knowledge ordinarily used under similar circumstances."
- As demonstrated by, but not limited to, the above-outlined facts, Respondent failed 12. to use the reasonable care, skill or knowledge ordinarily used under similar circumstances when rendering medical services to Patient A, by failing, during Patient A's June 10, 2020, procedure, to perform a selective Wada-Milner Test in a branch off Patient A's right posterior cerebral artery, prior to embolizing that branch.

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By reason of the foregoing, Respondent is subject to discipline by the Board as 13. provided in NRS 630.352.

COUNT II

NRS 630.3062(1)(a) - Failure to Maintain Appropriate Medical Records

- All of the allegations contained in the above paragraphs are hereby incorporated by 14. reference as though fully set forth herein.
- 15. NRS 630.3062(1)(a) provides that the "failure to maintain timely, legible, accurate and complete medical records relating to the diagnosis, treatment and care of a patient" constitute grounds for initiating discipline against a licensee.
- Respondent failed to maintain timely, legible, accurate and complete medical 16. records relating to the diagnosis, treatment, and care of Patient A, by failing to accurately note, on or after June 10, 2020, Patient A's post-embolization images showing significantly decreased posterior circulation on the right side of Patient A's brain, indicating impending stroke.
- By reason of the foregoing, Respondent is subject to discipline by the Board as 17. provided in NRS 630.352.

WHEREFORE, the Investigative Committee prays:

- That the Board give Respondent notice of the charges herein against him and give 1. him notice that he may file an answer to the Complaint herein as set forth in NRS 630.339(2) within twenty (20) days of service of the Complaint;
- That the Board set a time and place for a formal hearing after holding an Early 2. Case Conference pursuant to NRS 630.339(3);
- That the Board determine what sanctions to impose if it determines there has been 3. a violation or violations of the Medical Practice Act committed by Respondent;
- That the Board award fees and costs for the investigation and prosecution of this 4. case as outlined in NRS 622.400;
- That the Board make, issue and serve on Respondent its findings of fact, 5. conclusions of law and order, in writing, that includes the sanctions imposed; and

OFFICE OF THE GENERAL COUNSEL Nevada State Board of Medical Examiners

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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 21th 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

OFFICE OF THE GENERAL COUNSEL

Nevada State Board of Medical Examiners

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:

EY, M.D.

Chairman of the Investigative Committee