

1 **BEFORE THE BOARD OF MEDICAL EXAMINERS**
2 **OF THE STATE OF NEVADA**

3 * * * * *

4 **In the Matter of Charges and Complaint**

Case No. 24-11277-1

5 **Against:**

6 **WILLIAM ALVEAR, M.D.,**

7 **Respondent.**

FILED

SEP 19 2024

**NEVADA STATE BOARD OF
MEDICAL EXAMINERS**

By: 

8
9 **COMPLAINT**

10 The Investigative Committee¹ (IC) of the Nevada State Board of Medical Examiners
11 (Board), by and through Alexander J. Hinman, Esq., Deputy General Counsel and attorney for the
12 IC, having a reasonable basis to believe that William Alvear, M.D. (Respondent) violated the
13 provisions of Nevada Revised Statutes (NRS) Chapter 630 and Nevada Administrative Code (NAC)
14 Chapter 630 (collectively, the Medical Practice Act), hereby issues its Complaint, stating the IC's
15 charges and allegations as follows:

16 1. Respondent was at all times relevant to this Complaint, a medical doctor holding an
17 active license to practice medicine in the State of Nevada. (License No. 7874). He was originally
18 licensed by the Board on July 2, 1996.

19 **A. Respondent's Criminal Conduct**

20 2. Pursuant to a Grand Jury Criminal Indictment filed on October 25, 2023
21 (hereinafter, "Indictment"), a true and correct copy of which is attached hereto as **Exhibit 1** and
22 incorporated herein by this reference, in the U.S. District Court for the State of Nevada, in
23 Criminal Case No. 2:20-CR-229-CDS-VCF, "USA v. William Alvear, M.D." (hereinafter
24 "Federal Case"), a federal grand jury charged Respondent with eight (8) crimes, as follows:
25 violation of 21 U.S.C. § 841(a)(1) & (b)(1)(C) and 21 C.F.R. § 1606.04 - Distribution of Controlled

26 *///*

27 _____
28 ¹ The Investigative Committee of the Nevada State Board of Medical Examiners, at the time the filing of this
Complaint was approved, was composed of Bret W. Frey, M.D., Col. Eric D. Wade, USAF (Ret.), and Carl N.
Williams Jr., M.D., FACS.

1 Substances - Schedule II (Counts 1-3); violation of 21 U.S.C. § 841(a)(1) & (b)(2) - Dispensing and
2 Distribution of Controlled Substances - Schedule IV (Counts 4-8).

3 3. Pursuant to 18 U.S.C. § 3559(a)(3), a violation of 21 U.S.C. § 841(a)(1) and
4 (b)(1)(C), as alleged in Counts 1-3 of the Indictment, constitute Class C felonies.

5 4. On November 28, 2023, a jury found Respondent guilty of all eight (8) Counts
6 charged in the Indictment. A true and correct copy of the Verdict Form is attached hereto as
7 **Exhibit 2** and is incorporated herein by this reference. Specifically, Respondent was found guilty
8 of the following:

9 a. Counts 1-3: The elements of Distribution of Controlled Substances in
10 violation of Title 21 USC §§ 841 (a)(1) and (b)(1)(C) are:

11 i. On or about March 18, 2020, April 7, 2020, and May 13, 2020, the
12 Respondent knowingly distributed Schedule II controlled substances, to wit Hydrocodone;

13 ii. Respondent knew that the controlled substances were Hydrocodone
14 or some other prohibited drug;

15 iii. Respondent distributed the controlled substances outside the usual
16 course of professional practice and not for a legitimate medical purpose; and

17 iv. Respondent intended to distribute the controlled substances outside
18 the course of his professional practice.

19 b. Counts 4-8: The elements of Dispensing and Distribution of Controlled
20 Substances in violation of Title 21 U.S.C. § 841(a)(1), (b)(2) are:

21 i. On or about March 18, 2020, April 7, 2020, and May 13, 2020, the
22 Respondent knowingly distributed Schedule IV controlled substances, to wit Alprazolam;

23 ii. Respondent knew that the controlled substances were Alprazolam
24 or some other prohibited drug;

25 iii. Respondent distributed the controlled substances outside the usual
26 course of professional practice and not for a legitimate medical purpose; and

27 iv. Respondent intended to distribute the controlled substances outside
28 the course of his professional practice.

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

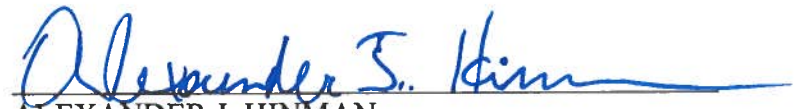
WHEREFORE, the Investigative Committee prays:

1. That the Board give Respondent notice of the charges herein against him and give 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;
2. That the Board set a time and place for a formal hearing after holding an Early Case Conference pursuant to NRS 630.339(3);
3. That the Board determine what sanctions to impose if it determines there has been a violation or violations of the Medical Practice Act committed by Respondent;
4. That the Board make, issue and serve on Respondent its findings of fact, conclusions of law and order, in writing, that includes the sanctions imposed; and
5. That the Board take such other and further action as may be just and proper in these premises.

DATED this 19th day of September, 2024.

INVESTIGATIVE COMMITTEE OF THE
NEVADA STATE BOARD OF MEDICAL EXAMINERS

By:



ALEXANDER J. HINMAN
Deputy General Counsel
9600 Gateway Drive
Reno, NV 89521
Tel: (775) 688-2559
Email: ahinman@medboard.nv.gov
Attorney for the Investigative Committee

OFFICE OF THE GENERAL COUNSEL
Nevada State Board of Medical Examiners
9600 Gateway Drive
Reno, Nevada 89521
(775) 688-2559

VERIFICATION

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

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 19 day of September, 2024.

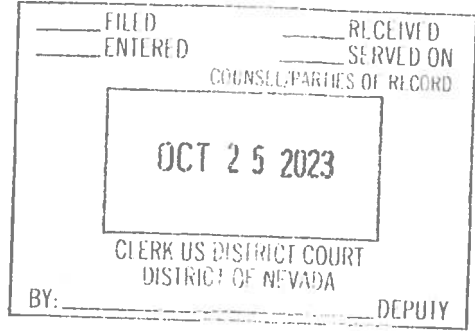
INVESTIGATIVE COMMITTEE OF THE
NEVADA STATE BOARD OF MEDICAL EXAMINERS

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

EXHIBIT 1

EXHIBIT 1

1 JASON FRIERSON
United States Attorney
2 District of Nevada
Nevada Bar Number 7709
3 SUPRIYA PRASAD
KIMBERLY SOKOLICH
4 Assistant United States Attorneys
501 Las Vegas Boulevard South, Suite 1100
5 Las Vegas, Nevada 89101
Phone: (702) 388-6336
6 Fax: (702) 388-6020
7 Supriya.Prasad@usdoj.gov
Kimberly.Sokolich@usdoj.gov



8 *Representing the United States of America*

9 **UNITED STATES DISTRICT COURT**
10 **DISTRICT OF NEVADA**

11 **UNITED STATES OF AMERICA,**
12 **Plaintiff,**

13 **v.**

14 **WILLIAM ALVEAR, M.D.,**
15 **Defendant.**

16 **SECOND SUPERSEDING**
17 **CRIMINAL INDICTMENT**

18 **CASE NO: 2:20-CR-229-CDS-VCF**

19 **VIOLATIONS:**

20 21 U.S.C. § 841(a)(1) & (b)(1)(C) –
Distribution of a Controlled Substance
(Schedule II)

21 21 U.S.C. § 841(a)(1) & (b)(2) –
Dispensing and Distribution of a
Controlled Substance
(Schedule IV)

22 **THE GRAND JURY CHARGES THAT:**

23 **INTRODUCTION**

24 At all times material to this Indictment:

1 1. The Controlled Substances Act (CSA), Title 21, United States Code,
2 Sections 801, *et seq.*, governs the manufacture, distribution, and dispensing of controlled
3 substances in the United States. With limited exceptions for medical professionals, the
4 CSA makes it “unlawful for any person knowingly or intentionally ... to manufacture,
5 distribute, or dispense . . . a controlled substance.”

6 2. The CSA defines a “controlled substance” as a drug or other substance that
7 is included in one of five schedules—Schedule I, II, III, IV, or V—of Subchapter I, Part B
8 of the Act. 21 U.S.C. § 802(6). Drugs or substances are placed into these schedules based,
9 at least in part, on their potential for abuse, likelihood of physical or psychological
10 dependency, accepted medical use, and accepted safety for use under medical supervision.

11 a. “Schedule II” indicates that the drug or other substance has a currently
12 accepted medical use with severe restrictions and has a high potential for abuse that can
13 lead to severe psychological or physical dependence. 21 U.S.C. § 812(b)(2).

14 b. “Schedule IV” indicates that the drug or other substance has a currently
15 accepted medical use with severe restrictions and has a low potential for abuse that can lead
16 to limited physical dependence or psychological dependence, relative to the drugs or other
17 substances in Schedule III. 21 U.S.C. § 812(b)(4).

18 3. Title 21, Code of Federal Regulations, Sections 1308.12, 1308.13, 1308.14,
19 and 1308.15 lists the drugs and other substances contained in Schedules II, III, IV, and V,
20 respectively.

21 4. Title 21, United States Code, Section 822(b) and Title 21, Code of Federal
22 Regulations, Section 290.1, provide that the controlled substances listed in Schedules II-V
23 can be dispensed or distributed only pursuant to a prescription issued by a medical
24 practitioner registered with the United States Drug Enforcement Administration (“DEA”).

1 The DEA, as authorized by the CSA, issues registration numbers to qualifying medical
2 practitioners that allow them to issue prescriptions for Schedule II-V controlled substances.
3 William Alvear, M.D., defendant herein, is a medical practitioner registered with the DEA.

4 5. Accordingly, under Title 21, Code of Federal Regulations, Section 1306.03,
5 controlled substances, such as opioid pain medications that are Schedule II-V controlled
6 substances, can be dispensed only pursuant to a valid prescription from a medical
7 practitioner authorized by the DEA to distribute controlled substances.

8 6. Under Title 21, United States Code, Section 802(10), the term “dispense”
9 means to deliver a controlled substance to an ultimate user or research subject by, or
10 pursuant to the lawful order of, a practitioner, including the prescribing and administering
11 of a controlled substance and the packaging, labeling, or compounding necessary to
12 prepare the substance for such delivery. The term “dispenser” means a practitioner who so
13 delivers a controlled substance to an ultimate user.

14 7. Under Title 21, United States Code, Section 802(11), the term “distribute”
15 means to deliver (other than by administering or dispensing) a controlled substance or a
16 listed chemical. The term “distributor” means a person who so delivers a controlled
17 substance or a listed chemical.

18 8. Title 21, Code of Federal Regulations, Section 1306.04 provides that in order
19 for a prescription for a controlled substance to be valid, it “must be issued for a legitimate
20 medical purpose by an individual practitioner acting in the usual course of his professional
21 practice.”

22 9. A prescription for a controlled substance issued without a legitimate medical
23 purpose or outside of the individual practitioner's usual course of his professional practice
24

1 is not a valid prescription, and the person who issues the prescription violates Title 21,
2 United States Code, Section 841(a)(1).

3 **COUNTS ONE THROUGH THREE**
4 **Distribution of a Controlled Substance – Schedule II**
5 **(Title 21 U.S.C. §§ 841(a)(1), (b)(1)(C))**

6 10. The Grand Jury realleges and incorporates Paragraphs One through Nine as
7 though fully set forth herein.

8 11. On or about the dates set forth below, in the State and Federal District of
9 Nevada,

10 **WILLIAM ALVEAR, M.D.**

11 defendant herein, did knowingly and intentionally distribute a mixture and substance
12 containing a detectable amount of a Schedule II controlled substance, to wit: hydrocodone,
13 as listed below, without a legitimate medical purpose and outside the usual course of
14 professional practice, knowing and intending to do so without a legitimate medical purpose
15 and outside the usual course of professional practice, each of which constitutes a separate
16 count of this Indictment:

Count	Approx. Date of Distribution	Patient	Controlled Substance
1	March 18, 2020	Patient C	Hydrocodone ("Norco")
2	April 7, 2020	Patient C	Hydrocodone ("Norco")
3	May 13, 2020	Patient C	Hydrocodone ("Norco")

21
22 all in violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(C) and Title 21,
23 Code of Federal Regulations, Section 1306.04.

COUNTS FOUR THROUGH EIGHT
Dispensing and Distribution of a Controlled Substance – Schedule IV
(Title 21 U.S.C. §§ 841(a)(1), (b)(2))

12. The Grand Jury realleges and incorporates Paragraphs One through Nine as though fully set forth herein.

13. On or about the dates set forth below, in the State and Federal District of Nevada,

WILLIAM ALVEAR, M.D.

defendant herein, did knowingly and intentionally dispense and distribute a mixture and substance containing a detectable amount of a Schedule IV controlled substance, to wit: alprazolam, as listed below, without a legitimate medical purpose and outside the usual course of professional practice, knowing and intending to do so without a legitimate medical purpose and outside the usual course of professional practice, each of which constitutes a separate count of this Indictment:

Count	Approx. Date of Distribution	Patient	Controlled Substance
4	March 18, 2020	Patient B	Alprazolam ("Xanax")
5	March 18, 2020	Patient C	Alprazolam ("Xanax")
6	April 7, 2020	Patient B	Alprazolam ("Xanax")
7	April 7, 2020	Patient C	Alprazolam ("Xanax")
8	May 13, 2020	Patient B	Alprazolam ("Xanax")

all in violation of Title 21, United States Code, Sections 841(a)(1) and (b)(2).

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT

BY: INFORMATION INDICTMENT

Matter Sealed: Juvenile Other than Juvenile
 Pre-Indictment Plea Superseding Defendant Added
 Indictment Charges/Counts Added
 Information

Name of District Court, and/or Judge/Magistrate Location (City)

UNITED STATES DISTRICT COURT Las Vegas
 DISTRICT OF NEVADA Divisional Office

Name and Office of Person Ellenrose Jarmolowich
 Furnishing Information on U.S. Atty Other U.S. Agency
 THIS FORM Phone No. (702) 388-6336

Name of Asst. K. SOKOLICH ~ SUPRIYA PRASAD
 U.S. Attorney (if assigned)

PROCEEDING

Name of Complainant Agency, or Person (& Title, if any)
Zach Carey ~ FBI

person is awaiting trial in another Federal or State Court
 (give name of court)

this person/proceeding transferred from another district
 per (circle one) FRCrP 20, 21 or 40. Show District

this is a re prosecution of charges
 previously dismissed which were
 dismissed on motion of:
 U.S. Atty Defense

this prosecution relates to a
 pending case involving this same
 defendant. (Notice of Related
 Case must still be filed with the
 Clerk.)

prior proceedings or appearance(s)
 before U.S. Magistrate Judge
 regarding this defendant were
 recorded under

SHOW
 DOCKET NO.

MAG. JUDGE
 CASE NO.

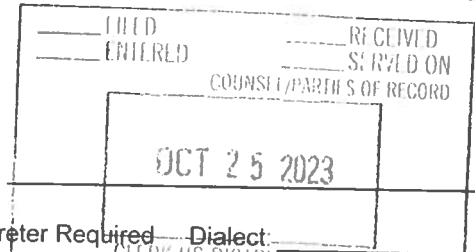
Place of offense _____ County _____

CASE NO. 2:20-CR-229-CDS-VCF

USA vs.

Defendant: WILLIAM ALVEAR, M.D.

Address:



Interpreter Required Dialect: _____
 Birth Date _____ Male Female (if applicable)
 Alien (if applicable)

Social Security Number _____

DEFENDANT

Issue: Warrant Summons

Location Status:

Arrest Date _____ or Date Transferred to Federal Custody _____

Currently in Federal Custody
 Currently in State Custody
 Writ Required
 Currently on bond
 Fugitive

Defense Counsel (if any): _____

FPD CJA RET'D
 Appointed on Target Letter

This report amends AO 257 previously submitted

OFFENSE CHARGED - U.S.C. CITATION - STATUTORY MAXIMUM PENALTIES - ADDITIONAL INFORMATION OR COMMENTS

Total # of Counts 8

Set	Title & Section/Offense Level (Petty = 1 / Misdemeanor = 3 / Felony = 4)	Description of Offense Charged	Count(s)
	21 U.S.C. § 841(a)(1) & (b)(1)(C)	Distribution of a Controlled Substance	1 ~ 3
	21 U.S.C. § 841(a)(1) & (b)(2)	Dispensing and Distribution of a Controlled Substance	4 ~ 8

EXHIBIT 2

EXHIBIT 2

FILED
 ENTERED
 RECEIVED
 SERVED ON
 COUNSEL/PARTIES OF RECORD
NOV 28 2023
 CLERK US DISTRICT COURT
 DISTRICT OF NEVADA
 BY: _____ DEPUTY

UNITED STATES DISTRICT COURT
 DISTRICT OF NEVADA

1
2
3
4 UNITED STATES OF AMERICA,

5 Plaintiff,

6 v.

7 WILLIAM ALVEAR, M.D.,

8 Defendant.
9

Case No. 2:20-cr-00229-CDS-VCF

VERDICT FORM

10
11 We, the jury in the above entitled case, upon our oaths, do say:

12 1. That we find the defendant, William Alvear, Guilty of the
13 (Not Guilty/Guilty)

14 offense of Distribution of a Controlled Substance – Schedule II (“Norco”) in violation of 21
15 U.S.C. §§ 841(a)(1) and 841(b)(1)(C) that occurred on or about March 18, 2020, as charged in
16 Count One of the Second Superseding Indictment.

17
18 2. That we find the defendant, William Alvear, Guilty of the
19 (Not Guilty/Guilty)

20 offense of Distribution of a Controlled Substance – Schedule II (“Norco”) in violation of 21
21 U.S.C. §§ 841(a)(1) and 841(b)(1)(C) that occurred on or about April 7, 2020, as charged in
22 Count Two of the Second Superseding Indictment.

23
24 3. That we find the defendant, William Alvear, Guilty of the
25 (Not Guilty/Guilty)
26

1 offense of Distribution of a Controlled Substance – Schedule II (“Norco”) in violation of 21
2 U.S.C. §§ 841(a)(1) and 841(b)(1)(C) that occurred on or about May 13, 2020, as charged in
3 Count Three of the Second Superseding Indictment.

4

5 4. That we find the defendant, William Alvear, Guilty of the
6 (Not Guilty/Guilty)
7 offense of Distribution or Dispensing of a Controlled Substance – Schedule IV (“Xanax”) in
8 violation of 21 U.S.C. §§ 841(a)(1) and 841(b)(2) that occurred on or about March 18, 2020, as
9 charged in Count Four of the Second Superseding Indictment.

10

11 5. That we find the defendant, William Alvear, Guilty of the
12 (Not Guilty/Guilty)
13 offense of Distribution or Dispensing of a Controlled Substance – Schedule IV (“Xanax”) in
14 violation of 21 U.S.C. §§ 841(a)(1) and 841(b)(2) that occurred on or about March 18, 2020, as
15 charged in Count Five of the Second Superseding Indictment.

16

17 6. That we find the defendant, William Alvear, Guilty of the
18 (Not Guilty/Guilty)
19 offense of Distribution or Dispensing of a Controlled Substance – Schedule IV (“Xanax”) in
20 violation of 21 U.S.C. §§ 841(a)(1) and 841(b)(2) that occurred on or about April 7, 2020, as
21 charged in Count Six of the Second Superseding Indictment.

22

23 7. That we find the defendant, William Alvear, Guilty of the
24 (Not Guilty/Guilty)

25

26

1 offense of Distribution or Dispensing of a Controlled Substance – Schedule IV (“Xanax”) in
2 violation of 21 U.S.C. §§ 841(a)(1) and 841(b)(2) that occurred on or about April 7, 2020, as
3 charged in Count Seven of the Second Superseding Indictment.

4 8. That we find the defendant, William Alvear, Guilty of the
5 (Not Guilty/Guilty)

6 offense of Distribution or Dispensing of a Controlled Substance – Schedule IV (“Xanax”) in
7 violation of 21 U.S.C. §§ 841(a)(1) and 841(b)(2) that occurred on or about May 13, 2020, as
8 charged in Count Eight of the Second Superseding Indictment.

9
10 Dated: This 28 day of November, 2023.

11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26