

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. 25-40934-1

6 **Against:**

FILED

7 **VICTOR WEI-KWONG FONG, M.D.,**

FEB - 4 2025

8 **Respondent.**

NEVADA STATE BOARD OF
MEDICAL EXAMINERS

By: 

9
10 **COMPLAINT**

11 The Investigative Committee¹ (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 Victor Wei-Kwong Fong, M.D. (Respondent) violated the
14 provisions of Nevada Revised Statutes (NRS) Chapter 630 and Nevada Administrative Code (NAC)
15 Chapter 630 (collectively, the Medical Practice Act), hereby issues its Complaint, stating the IC's
16 charges 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. 18945). Respondent was
19 originally licensed by the Board on June 11, 2019, and has a specialty in radiology, diagnostic and
20 internal medicine.

21 2. Patient A² was a forty-nine (49) year-old female at the time of the events at issue.

22 3. Patient A underwent a mammogram and breast ultrasound on May 4, 2021, at
23 Steinberg Diagnostic Medical Imaging in Las Vegas, Nevada. At the time, Patient A's clinical
24 history included complaints of a palpable painful area in the right breast and a family history of
25 breast cancer.

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27 ¹ 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., Col. Eric D. Wade,
USAF (Ret.), 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.

1 4. A radiologist interpreted the May 4, 2021, results, and noted a cluster of cysts in
2 the upper outer right breast measuring up to 2.3 cm, as well as a deeper adjacent cyst measuring
3 3.3 cm. The radiologist noted an impression of “[b]ilateral breast cysts, right greater than left.
4 Overall increased. Recommend six-month follow-up mammogram and ultrasound given change.
5 BI-RADS 3, probably benign.”

6 5. On November 8, 2021, Patient A returned for a follow-up mammogram and
7 ultrasound (hereinafter, collectively referred to as “the imaging”).

8 6. Respondent was the radiologist who interpreted the imaging results of the
9 November 8, 2021, mammogram. Respondent noted that Patient A had a family history of breast
10 cancer stemming from her grandmother and aunts. Respondent also compared the imaging with
11 previous mammograms, including the mammogram from May 4, 2021.

12 7. Respondent noted “numerous cysts, largest was 4 cm in the right breast at 9:00.
13 Similar 2 cm group of cysts at the reported palpable area in the right breast.” Respondent
14 determined that the bilateral breast masses were “benign-appearing,” and that there was “no
15 evidence of suspicious masses, malignant-type micro-calcifications, or architectural distortions.”
16 Respondent noted an impression of “BI-RADS 2: Benign.”

17 8. Despite Patient A’s family history of breast cancer, complaints of palpable pain,
18 and the progression in size of the cyst in Patient A’s right breast, Respondent did not recommend
19 immediate additional evaluation or otherwise note any immediate concerns or suspicious
20 abnormalities. Instead, Respondent recommended a follow-up in one (1) year.

21 9. Patient A later reported feeling increased pain in her right upper breast. On
22 December 20, 2021, Patient A underwent a biopsy of the cystic lesion in the right breast.
23 Pathology that same day revealed an invasive carcinoma, measuring at least 5.5 cm.

COUNT I

NRS 630.301(4) - Malpractice

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26 10. All of the allegations contained in the above paragraphs are hereby incorporated by
27 reference as though fully set forth herein.

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1 11. NRS 630.301(4) provides that malpractice of a physician is grounds for initiating
2 disciplinary action against a licensee.

3 12. NAC 630.040 defines malpractice as “the failure of a physician, in treating a
4 patient, to use the reasonable care, skill, or knowledge ordinarily used under similar
5 circumstances.”

6 13. As demonstrated by, but not limited to, the above-outlined facts, Respondent failed
7 to use the reasonable care, skill or knowledge ordinarily used under similar circumstances when
8 rendering medical services to Patient A, when he failed to acknowledge or note, in his
9 interpretation of Patient A’s November 8, 2021, imaging, any concerns or suspicious
10 abnormalities, including, but not limited to, the possibility of breast cancer.

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

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

14 1. That the Board give Respondent notice of the charges herein against her and give
15 her notice that she may file an answer to the Complaint herein as set forth in NRS 630.339(2)
16 within twenty (20) days of service of the Complaint;

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

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

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

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

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OFFICE OF THE GENERAL COUNSEL

Nevada State Board of Medical Examiners
9600 Gateway Drive
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(775) 688-2559

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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 4th day of February, 2025.

INVESTIGATIVE COMMITTEE OF THE
NEVADA STATE BOARD OF MEDICAL EXAMINERS

By:



WILLIAM P. SHOGREN

Deputy General Counsel

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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 4th day of February, 2025.

INVESTIGATIVE COMMITTEE OF THE
NEVADA STATE BOARD OF MEDICAL EXAMINERS

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