BEFORE THE BOARD OF MEDICAL EXAMINERS OF THE STATE OF NEVADA

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In the Matter of Charges and Complaint

VINCENT PETER NALBONE, M.D.,

Respondent.

Against:

Case No. 25-11896-2

FILED

IAN 09 2025

NEVADA STATE BOARD OF MEDICAL EXAMINERS

COMPLAINT

The Investigative Committee¹ (IC) of the Nevada State Board of Medical Examiners (Board), by and through Ian J. Cumings, Senior Deputy General Counsel and attorney for the IC, having a reasonable basis to believe that (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:

- Respondent was at all times relative to this Complaint a medical doctor holding an 1. active license to practice medicine in the State of Nevada (License No. 8303). Respondent was originally licensed by the Board on July 11, 1997.
 - Patient A² was an eighty-five (85) year-old male at the time of the events at issue. 2.
- On February 25, 2020, Patient A presented to Respondent with complaints of 3. chronic sinusitis, cough, headache, post-nasal drip, deviated septum, inferior turbinate hypertrophy, and allergic rhinitis.
- On Patient A's February 25, 2020, intake form, Patient A listed he was taking Eliquis (a blood thinning medication), as well as Lisinopril, and Carvedilol for high blood

Patient A's true identity is not disclosed herein to protect his privacy, but is disclosed in the Patient Designation served upon Respondent along with a copy of this Complaint.

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 Victor M. Muro, M.D., Aury Nagy, M.D. and Ms. Maggie Arias-Petrel.

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pressure and heart failure. Respondent scheduled Patient A for nasal septoplasty, turbinate modification, nasal valve repair, and swell body reduction. Respondent did not acknowledge or note Patient A was taking blood thinning medication nor Patient A's blood pressure medications prior to Patient A's scheduled surgery.

- On March 17, 2020, Patient A presented to Respondent's practice for surgery. At 5. 9:48 a.m. Patient A was given 10 mg of Valium, a benzodiazepine, along with 1 mg of Xanax, also a benzodiazepine. At 10:17 a.m. Patient A is given a second dose of 10 mg of Valium, and 1 mg of Xanax. At 12:40 p.m. Patient A received a third dose of 10 mg of Valium, and 1 mg of Xanax.
- Patient A subsequently underwent a bilateral frontal balloon sinuplasty, bilateral 6. maxillary balloon sinuplasty, bilateral sphenoid balloon sinuplasty, bilateral endoscopic submucous resection of the inferior turbinates, and a bilateral endoscopic submucous resection of nasal swell bodies.
- At 2:49 p.m. Patient A was given Flumazenil, a benzodiazepine antagonist, to 7. counteract the large dosages of benzodiazepines used to sedate Patient A for the surgery. Following the administration of Flumazenil, Patient A suffered complications related to his high blood pressure and required urgent transportation to a hospital where Patient A was treated for post-operative hypertension.
- Respondent charted that Patient A was: "[o]bserved in the office until stabilized, 8. and pain and bleeding were controlled. The patient had mild post-procedural pain and minimal amount of bleeding." Nowhere in the medical record does Respondent acknowledge or document the transportation to the hospital in the post-operative medical record.

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 physician is grounds for initiating 10. disciplinary action against a licensee.

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	11.	N	AC 6	30.040 defi	nes m	alpract	ice	as "the	failure	of a p	hysician	, in t	reating a
patient,	to	use	the	reasonable	care,	skill,	or	knowle	dge o	rdinaril	y used	under	simila
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- 12. As demonstrated by, but not limited to, the above-outlined facts, Respondent failed to use the reasonable care, skill or knowledge ordinarily used under similar circumstances when rendering medical services to Patient A by proceeding forward with an elective surgery despite Patient A's use of Eliquis, Lisinopril, and Carvedilol. Respondent further failed to acknowledge or note Patient A's medications in any pre-surgery electronic record, despite Patient A's use of blood thinners and medication taken for high blood pressure.
- 13. By reason of the foregoing, Respondent is subject to discipline by the Board as provided in NRS 630.352.

COUNT II

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

- 14. All of the allegations contained in the above paragraphs are hereby incorporated by 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.
- 16. Respondent failed to maintain complete medical records relating to the diagnosis, treatment and care of Patient A, whose medical records were not timely, legible, accurate, and complete when Respondent failed to 1) document or note Patient A's medications in any presurgical electronic record; 2) when he failed to correctly document the complications suffered by Patient A post surgery; and 3) when he failed to document that Patient A required transport to the hospital following the March 17, 2020, sinus procedure.
- 17. By reason of the foregoing, Respondent is subject to discipline by the Board as provided in NRS 630.352.

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

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 award fees and costs for the investigation and prosecution of this case as outlined in NRS 622.400;
- 5. 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
- 6. That the Board take such other and further action as may be just and proper in these premises.

DATED this 4th day of January, 2025.

INVESTIGATIVE COMMITTEE OF THE NEVADA STATE BOARD OF MEDICAL EXAMINERS

By:

LAN J. CUMINGS

Senior Deputy General Counsel

9600 Gateway Drive

Reno, NV 89521

Tel: (775) 688-2559

Email: <u>icumings@medboard.nv.gov</u>
Attorney for the Investigative Committee

OFFICE OF THE GENERAL COUNSEL

Nevada State Board of Medical Examiners

VERIFICATION

STATE OF NEVADA)
	: SS.
COUNTY OF CLARK)

Chowdhury H. Ahsan, M.D., Ph.D, FACC, 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 quary, 2025.

INVESTIGATIVE COMMITTEE OF THE NEVADA STATE BOARD OF MEDICAL EXAMINERS

By:

CHOWDHURY H. AHSAN, M.D., PH.D., FACC Chairman of the Investigative Committee