



Nevada State Board of Medical Examiners

IN THE MATTER OF CHARGES AND COMPLAINT AGAINST
MELISSA TERESA CANDRILLI, RRT
ADJUDICATION

Case No: 19-33868-1

Date: December 4, 2020

ADJUDICATING MEMBERS

Mr. M. Neil Duxbury
Aury Nagy, M.D.
Michael C. Edwards, M.D., FACS
Weldon Havins, M.D., J.D.
Ms. Maggie Arias-Petrel
Bret W. Frey, M.D.

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

* * * * *

**In the Matter of Charges and Complaint
Against
MELISSA TERESA CANDRILLI, RRT,
Respondent.**

Case No. 19-33868-1

FILED

DEC 19 2019

NEVADA STATE BOARD OF
MEDICAL EXAMINERS
By: 

COMPLAINT

The Investigative Committee¹ (IC) of the Nevada State Board of Medical Examiners (Board), by and through Aaron Bart Fricke, Esq., Deputy General Counsel and attorney for the IC, having a reasonable basis to believe that Melissa Teresa Candrilli, RRT (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 respiratory therapist holding an active or suspended license to practice respiratory therapy in the State of Nevada (License No. RC1551). Respondent was originally licensed by the Board on May 28, 2008.

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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 Rachakonda D. Prabhu, M.D., Chairman, Victor M. Muro, M.D., and Ms. April Mastroluca.

2. Pursuant to NAC 630.540, a practitioner of respiratory care is subject to discipline or denial of licensure by the Board if, after notice and hearing in accordance with NAC Chapter 630, the Board finds that the practitioner of respiratory care:

1. Willfully and intentionally made a false or fraudulent statement or submitted a forged or false document in applying for a license or renewing a license.

4. Disobeyed any order of the Board or an investigative committee of the Board or violated a provision of this chapter.

5. Is not competent to provide respiratory care services.

6. Lost his or her certification by the National Board for Respiratory Care or its successor organization.

7. Failed to notify the Board of loss of certification by the National Board for Respiratory Care or its successor organization.

...

9. Rendered respiratory care to a patient while under the influence of alcohol or any controlled substance or in any impaired mental or physical condition.

...

23. Violated any provision that would subject a practitioner of medicine to discipline pursuant to NRS 630.301 to 630.3065, inclusive, or NAC 630.230.

3. Pursuant to NRS 630.254, each licensee of the Board shall maintain a permanent mailing address with the Board to which all communications from the Board to the licensee must be sent. A licensee who changes his or her permanent mailing address shall notify the Board in writing of the new permanent mailing address within 30 days after the change. If a licensee fails to notify the Board in writing of a change in his or her permanent mailing address within 30 days after the change, the Board may impose a fine and initiate disciplinary action against the licensee as provided pursuant NRS 630.306(1)(j).

4. On May 31, 2018, Respondent's certification as a respiratory therapist by the National Board for Respiratory Care (NBRC) expired.

5. Respondent did not notify the Board of the expiration of her NBRC certification.

6. On June 6, 2018, the Board suspended Respondent's license to practice respiratory care due to the expiration of her NBRC certification.

7. On June 11, 2018, an Order of Suspension was mailed to Respondent's address on

1 record, which Order was returned to the Board as “unclaimed.”

2 8. On June 26, 2018, the Board reinstated Respondent’s license to practice respiratory
3 care upon being provided proof of renewal of her NBRC certification.

4 9. On information and belief, on or about January 21, 2019, Respondent reported to work
5 at the Complex Care Hospital at Tenaya (CCHT) under the influence of alcohol. Supervisory staff of
6 CCHT requested, and Respondent submitted to, a breathalyzer test.

7 10. On or about January 25, 2019, Respondent was notified by CCHT staff that she was
8 suspended from duty as a respiratory therapist pending the results of an investigation of allegations of
9 being under the influence of alcohol during work hours.

10 11. On information and belief, Respondent’s employment was subsequently terminated by
11 CCHT.

12 12. On or about June 28, 2019, Respondent submitted to the Board a biennial license
13 renewal application (Application).

14 13. On the Application, Respondent denied that during the period of July 1, 2017, through
15 July 1, 2019, she had been “. . . a) asked to respond to an investigation; b) notified that you were under
16 investigation for; c) investigated for . . . any violation of a statute, rule or regulation governing your
17 practice as a practitioner of respiratory care by any . . . hospital” Respondent answered “no” to
18 the inquiry, and thereby failed to report on her Application that she had been under investigation by
19 CCHT for allegations of being under the influence of alcohol during work hours, which would be a
20 violation of, including but not limited to, NAC 630.540(9).

21 14. On information and belief, Respondent’s failure to report on her Application the
22 CCHT investigation, involving a possible violation of NAC 630.540(9), was willful and intentional.

23 15. On or about July 24, 2019, Respondent was arrested by the North Las Vegas Police
24 Department for a misdemeanor charge of providing a false statement/obstruction of a public officer.
25 The police had been called for a possible case of domestic violence. At the time she was arrested, the
26 police observed Respondent to be inebriated. Respondent’s fiancée was arrested due to an outstanding
27 warrant, and Respondent then became verbally and physically aggressive with the police officers.

28 16. On or about August 26, 2019, Respondent pled no contest to the aforementioned

charge and paid fees and a fine totaling \$405.

17. On or about August 6, 2019, Respondent was again arrested by the North Las Vegas Police Department for a misdemeanor charge of driving under the influence (DUI), first offense, and a misdemeanor charge of failure to maintain lane/improper lane change.

18. On or about October 7, 2019, Respondent pled no contest to the DUI charge and was ordered to attend a mandated drug and alcohol program. The failure to maintain lane charge was dismissed.

19. On December 3, 2019, pursuant to NAC 630.550, the IC issued to Respondent an Order for Competency Evaluation and Fitness To Practice (Order), whereby Respondent was ordered to undergo an evaluation at 12:00 noon on December 13, 2019, at Montevista Hospital at 5900 W. Rochelle Avenue, Las Vegas, NV 89103.

20. Respondent was personally served with the Order on December 5, 2019.

21. On December 13, 2019, Respondent met with Larry Espadero, LADC, and underwent an evaluation as ordered.

22. On December 16, 2019, Mr. Espadero communicated his report to the Board, wherein he opined that Respondent was unfit to practice.

23. Based on the foregoing, on or about December 18, 2019, the IC issued an Order of Summary Suspension alleging that that the health, safety and welfare of the public was at imminent risk of harm if Respondent was permitted to continue practicing, and that an immediate summary suspension of Respondent's license in the State of Nevada was necessary for the protection of the public. NRS 630.326(1).

COUNT I

NRS 630.306(1)(a)

(Inability to Practice Respiratory Therapy With Reasonable Skill and Safety)

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

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25. NAC 630.540(23) provides that violating any provision that would subject a practitioner of medicine to discipline pursuant to NRS 630.301 to 630.3065, inclusive, or NAC 630.230, is grounds for disciplinary action against a respiratory therapist.

26. NRS 630.306(1)(a) provides that the inability to practice with reasonable skill and safety because of illness, a mental or physical condition or the use of alcohol, drugs, narcotics or any other substance is grounds for initiating disciplinary action.

27. Respondent is unable to practice respiratory therapy with reasonable skill and safety because of a mental or physical condition and the use of alcohol, drugs, narcotics and other substances.

28. By reason of the foregoing, Respondent is subject to discipline by the Nevada State Board of Medical Examiners as provided in NAC 630.555 and NRS 630.352.

COUNT II

NAC 630.540 (Willful and Intentional False Statement in Renewal of License)

29. All of the allegations in the above paragraphs are hereby incorporated by reference as though fully set forth herein.

30. Pursuant to NAC 630.540(1), a practitioner of respiratory care is subject to discipline or denial of licensure for willfully and intentionally making a false or fraudulent statement in renewing a license.

31. On information and belief, Respondent knowingly and willfully made a false statement in answering "no" to the question on her Application referred to in paragraph 13 above.

32. By reason of the foregoing, Respondent is subject to discipline by the Nevada State Board of Medical Examiners as provided in NAC 630.555 and NRS 630.352.

COUNT III

NRS 630.306(1)(j)

(Failing to Timely Notify the Board of a Change of Permanent Address)

33. All of the allegations in the above paragraphs are hereby incorporated by reference as though fully set forth herein.

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34. NAC 630.540(23) provides that violating any provision that would subject a practitioner of medicine to discipline pursuant to NRS 630.301 to 630.3065, inclusive, or NAC 630.230, is grounds for disciplinary action against a respiratory therapist.

35. NRS 630.306(1)(j) provides that failing to comply with the requirements of NRS 630.254 is grounds for initiating disciplinary action.

36. NRS 630.254 provides, in pertinent part:

Each licensee shall maintain a permanent mailing address with the Board to which all communications from the Board to the licensee must be sent. A licensee who changes his or her permanent mailing address shall notify the Board in writing of the new permanent mailing address within 30 days after the change. If a licensee fails to notify the Board in writing of a change in his or her permanent mailing address within 30 days after the change, the Board:

(a) May impose upon the licensee a fine not to exceed \$250; and

(b) May initiate disciplinary action against the licensee as provided pursuant to paragraph (j) of subsection 1 of NRS 630.306.

37. Respondent violated NRS 630.254 by failing to maintain a permanent address with the Board to which all communications to the licensee must be sent.

38. By reason of the foregoing, Respondent is subject to discipline by the Nevada State Board of Medical Examiners as provided in NAC 630.555 and NRS 630.352.

WHEREFORE, the Investigative Committee prays:

1. That the Board give Respondent notice of the charges herein against her and give her notice that she may file an answer to the Complaint herein as set forth in NAC 630.545 and 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


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1 5. That the Board take such other and further action as may be just and proper in these
2 premises.

3 DATED this 19 day of December, 2019.

4 INVESTIGATIVE COMMITTEE OF THE
5 NEVADA STATE BOARD OF MEDICAL EXAMINERS

6 
7 By: _____
8 Aaron Bart Fricke, Esq., Deputy General Counsel
9 Attorney for the Investigative Committee
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VERIFICATION

STATE OF NEVADA)
 : ss.
COUNTY OF CLARK)

Rachakonda D. Prabhu, 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 19th day of December, 2019.

INVESTIGATIVE COMMITTEE OF THE
NEVADA STATE BOARD OF MEDICAL EXAMINERS

By: 

Rachakonda D. Prabhu, M.D., Chairman

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1 **BEFORE THE BOARD OF MEDICAL EXAMINERS**
2 **OF THE STATE OF NEVADA**
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7 In the Matter of Charges and Complaint
8 Against
9 MELISSA TERESA CANDRILLI, RRT,
10 Respondent.

CASE NO.: 19-33868-1

11
12 **CASE SYNOPSIS**

13 CHARLES B. WOODMAN, ESQ., duly appointed and qualified Hearing Officer
14 of the Nevada State Board of Medical Examiners, hereby submits the following Order on
15 the referenced matter held before him on September 3, 2020.:

16 **I. JURISDICTION AND NOTICE**

17 Pursuant to the provisions of Chapter 630 of the Nevada Revised Statutes, a
18 complaint was filed on December 19, 2019, entitled “In the Matter of Charges and
19 Complaint Against Melissa Teresa Candrilli, RRT.” In summary, said complaint alleged
20 three (3) violations which constitute grounds for initiating disciplinary action against a
21 licensee as follows:

22 NAC 630.306(1)(a), Inability to practice respiratory therapy with reasonable skill
23 and safety; NAC 630.540, Willful and intentional false statement in renewal of license,
24 and; NRS 630.306(1)(j), Failing to timely notify the Board of a change of permanent
25 address). Each alleged violation can subject a practitioner to discipline pursuant to NRS
26 630.301 to 630.3065, inclusive, or NAC 630.230.

27 **II. NOTICE OF HEARING**

28 On June 22, 2020, an early case telephonic conference was conducted to schedule
the pre-hearing and hearing of the matter. A Notice and Order Setting Pre-Hearing and

Hearing was filed on June 22, 2020, noticing further Pre-Hearing Conference on the above complaint for Friday, July 24, 2020, at 10:00 o'clock a.m., at the Conference Room of the Board, 9600 Gateway Drive, Reno, Nevada, and a formal hearing was scheduled for Thursday, September 3, 2020, commencing at 1:30 P.M.

III. ORDER FOR PREHEARING CONFERENCE

In compliance with NAC 630.465, a Notice and Order Setting Pre-Hearing and Hearing was filed on June 22, 2020, setting that conference for July 24, 2020, at 10:00 A.M. The Respondent did not attend the Pre-Hearing Conference. An Order After Pre-Hearing was filed July 29, 2020. The Order was served on the Respondent at [REDACTED]

IV. PERSONAL SERVICE

The Complaint, along with an Order of Summary Suspension, were personally served on Respondent on December 23, 2019.

V. RESPONSE OF RESPONDENT TO COMPLAINT

A formal Answer was not filed.

VI. HEARING

The Hearing was held September 3, 2020, as noticed and Ordered.

VII. APPEARANCES

At the Hearing, Aaron Fricke, Esq. appeared as the attorney for the Investigative Committee of the Nevada State Board of Medical Examiners. The Respondent, Melissa Teresa Candrilli, did not attend the hearing, nor did she have counsel appear on her behalf.

VIII. EVIDENCE PRESENTED

Exhibits 1 through 23, attached hereto and incorporated herein by this reference, were marked and admitted into evidence.

IX. SYNOPSIS OF EVIDENCE: FINDINGS OF FACT, CONCLUSIONS OF LAW

This matter came on for formal hearing on September 3, 2020. The hearing was noticed to occur at the Board's Reno, Nevada offices at 9600 Gateway Drive. The Respondent, Melissa Teresa Candrilli, was given due and proper notice. She did not attend the hearing. Counsel for the Investigative Committee of the Board ("IC") Mr. Aaron

1 Fricke, Esq., advised the Hearing Officer that Ms. Candrilli had been given the opportunity
2 to appear at the hearing via teleconference from the Board's facility in Las Vegas since she
3 lives in the Las Vegas area. However, Ms. Candrilli advised Mr. Fricke or his
4 representative on the morning of the hearing that, while she was aware that the hearing
5 would be occurring that day, (and the history in this case makes clear that she understood
6 that her professional license was at issue in the hearing), she had decided to travel to
7 Florida to care for her mother. The Hearing Officer notes for the record that Ms. Candrilli
8 has, during the pendency of this case, displayed an on-again-off-again approach to
9 communicating and cooperating with the IC and its counsel. In any event, with
10 appropriate notice having been duly served, the formal hearing occurred in Ms. Candrilli's
11 absence. The details of such hearing are as follows:

12 All references herein to the "Board" are references to The Nevada State Board of
13 Medical Examiners. All references to the "IC" are references to the Investigative
14 Committee of the Board.

15 Mr. Fricke, on behalf of the IC, moved to withdraw Count III of the Complaint, and
16 that Count was accordingly dismissed, leaving Counts I and II for hearing. Count I alleges
17 Ms. Candrilli's inability to practice respiratory therapy with reasonable skill and safety, in
18 violation of NRS 630.306(1)(a). Count II alleges Ms. Candrilli's willful and intentional
19 false statement in renewal of licensure, in violation of NAC 630.540.

20 Following an opening statement, Mr. Fricke called Donald Andreas as the first
21 witness for the IC. (Transcript, "T." at 15.) Mr. Andreas has fifteen years experience as an
22 investigator for the IC. T. 16. The witness showed that the Complaint was duly served on
23 Ms. Candrilli. T. 17-18. The witness further showed that Ms. Candrilli's certification
24 necessary for maintenance of her CRT and RRT licenses expired effective May 31, 2018.
25 T. 18-19. The witness showed that the Board had provided Ms. Candrilli with reminders
26 that her certifications were expiring, and that she needed to attend to the matter to avoid
27 suspension of her licenses. T. 19-22. Further, due to the expiration of her certifications,
28 Ms. Candrilli's licenses were duly suspended, and she was given notice of same. T. 20-22.
Ms. Candrilli at length responded to the Board showing that she had cured the deficiency,

1 whereupon her licenses were accordingly reinstated, albeit months after the certifications
2 had lapsed and her licenses suspended. T.23.

3 Ultimately, evidence arose, and corresponding allegations were brought that Ms.
4 Candrilli was on duty at Complex Care Hospital at Tenaya (“Complex Care Hospital”)
5 while under the influence of alcohol. T. 25-26, Exhibit 10. These allegations gave rise to
6 concerns that Ms. Candrilli had practiced as a CRT and/or RRT during the suspension of
7 her license. T. 25-28. In its attempts to communicate with Ms. Candrilli regarding the
8 allegations, it became evident that Ms. Candrilli was not at the address she had provided to
9 the Board in her updated licensing information. T. 28-30, Exhibits 7, 8, 9, 10. In the
10 course of its investigation, the IC discovered that Ms. Candrilli may have failed to report
11 required information to the Board concerning an investigation into the allegation that she
12 had reported for duty while under the influence of alcohol, and was suspended therefore by
13 her employer. T. 32, Exhibit 10. In response to Ms. Candrilli’s repeated failure to respond
14 to the IC’s request for information, the Board, through the IC, served on Ms. Candrilli a
15 Final Request for information and Order To Produce Response. T. 33-35, Exhibits 11, 12.

16 When Ms. Candrilli did respond, she admitted she had been investigated by her
17 employer Complex Care Hospital, and that she was “suspended/released . . . for being
18 disoriented and showing symptoms of being under the influence of medication and/or
19 alcohol.” T. 37, Exhibit 13. Ms. Candrilli also provided the IC with a “Psych/Inpatient
20 Treatment Plan Note dated June 17, 2019, authored by Roxanne L. Untal of Mental Health
21 Suite, with the following entry:

22 *Risk Assessment (Danger to Self and Others): Substance Abuse/Dependence*

23 *Relapse*

24 *Patient’s Perception of Needs and Preferences: ETOH*

25 *Patient’s Restrictions: Locked Ward*

26 See T. 36-38, Exhibit 13, p. 46.

27 The evidence further shows that Ms. Candrilli was provided notice of Complex
28 Care Hospital’s drug and substance-free employment policies at the time she was offered
her position there, (T. 39-40, Exhibit 14, p. 53), and further shows that on January 21,

1 2019, Ms. Candrilli's supervisor at Complex Care Hospital wrote up a "Fitness For Duty /
2 Reasonable Suspicion Testing Checklist", reporting Ms. Candrilli as possibly being under
3 the influence while on duty. T. 40, Exhibit 14, p.54. Pursuant to her supervisor's write-up,
4 Ms. Candrilli took a breath test which resulted in findings of 0.148 and 0.181 breath
5 alcohol content. T. 40-41, Exhibit 14, p.56. The legal limit for driving in Nevada is 0.08.
6 T. 41. The fact that her body's alcohol content was increasing was a noted concern as to
7 the timing of her alcohol consumption just prior to initiation of her shift. T. 41. Exhibit 14
8 includes multiple pages of written reports from Ms. Candrilli's co-workers who witnessed
9 her on duty and apparently under the influence. Exhibit 14, pp.58-66.

10 Exhibit 15 is a portion of Ms. Candrilli's application for license renewal. T. 43.
11 That renewal application shows, inter alia, i) Ms. Candrilli's statements that her use of
12 substances does not impair her ability to practice respiratory care with reasonable skill and
13 safety, and ii) that she had not been notified by any hospital that she was under
14 investigation or had been investigated for violation of any statute, rule or regulation
15 governing her practice of respiratory care. T. 44-46. Further, the record shows that such
16 answers provided by Ms. Candrilli were given after the incident and testing at Complex
17 Care Hospital. T. 44.

18 Exhibit 16 is evidence that Ms. Candrilli was charged and convicted, pursuant to
19 her no contest plea, by The City of North Las Vegas for providing a false statement to a
20 public officer.

21 Exhibit 17 is evidence that Ms. Candrilli was arrested by The City of North Las
22 Vegas for Driving Under the Influence of Alcohol wherein her vehicle struck and
23 destroyed a utility pole. The police report includes a record of threats Ms. Candrilli made
24 to the arresting officer. It further shows evidence that Ms. Candrilli's blood alcohol
25 content was 0.306 from a blood draw made after the arrest. Exhibit 18 is evidence that Ms.
26 Candrilli pled no contest to the DUI charge. Her sentence mandated, inter alia, that she
27 obtain a substance/alcohol evaluation.

28 The record reveals that the Board offered to provide Ms. Candrilli the opportunity
to enter and complete an alcohol / substance abuse treatment program. T. 51-56. Further,

1 Exhibit 19 is an Order issued by the Board requiring Ms. Candrilli to obtain a competency
2 evaluation relative to her fitness to practice. This Order was duly served on Ms. Candrilli
3 as shown in Exhibit 20.

4 Exhibit 21 is a letter to the Board from Larry Espadero, LADC, Program Director
5 of PRN. That letter contains Mr. Espadero's assessment of Ms. Candrilli. It states in
6 summary that Ms. Candrilli "is not currently fit to practice", and recommends that Ms.
7 Candrilli be placed in the PRN program for five years.

8 Exhibit 22 is the Board's Order of Summary Suspension dated December 19, 2019,
9 and Exhibit 23 proves that such Order was duly served on Ms. Candrilli on December 20,
10 2019.

11 This Hearing Officer found no issues as to the credibility of the IC's sole witness.
12 The evidence is uncontested. There is an abundance of evidence that Ms. Candrilli has a
13 significant, uncontrolled problem with alcohol. The findings and conclusions of Larry
14 Espadero are substantial evidence, especially in light of all other evidence, that Ms.
15 Candrilli is not presently fit to practice Respiratory Therapy in the State of Nevada.

16 Accordingly, this Hearing Officer finds, concludes, and recommends that the Boad
17 also find that the IC has met its burden and proven that Melissa T. Candrilli is in violation
18 of Count I of the Complaint, in that she is unable to practice respiratory therapy with
19 reasonable skill and safety because of a mental or physical condition and the use of
20 alcohol, drugs, narcotics and/or other substances.

21 This Hearing Officer further finds, concludes, and recommends that the Board also
22 find that Melissa T. Candrilli is in violation of Count II of the Complaint, in that she
23 knowingly and willfully made a false statement in answering "no" to the question on her
24 license renewal application concerning whether she had been investigated by a prior
25 employer, (in this case Complex Care Hospital), for violation of any statute, rule, or
26 regulation governing her practice of respiratory care by any hospital, when in fact she
27 knew the true answer thereto was "yes".

28 //

1 Accordingly, it is recommended that the Board take action it deems appropriate
2 with respect to Ms. Candrilli and the status of her license.

3 DATED this 18th day of November, 2020.

4
5 CHARLES B. WOODMAN, Hearing Officer
6 Nevada State Board of Medical Examiners
7 548 W. Plumb Lane, Suite B
8 Reno, NV 89509
9 (775) 786-9800
10 hardywoodmanlaw@msn.com
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In the Matter Of:

In Re: Candrilli

TRANSCRIPT OF PROCEEDINGS

September 03, 2020

Job Number: 658993

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HEARING
BEFORE THE BOARD OF MEDICAL EXAMINERS
OF THE STATE OF NEVADA

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In the Matter of Charges and Case No. 19-33868-1
Complaint Against
MELISSA TERESA CANDRILLI,
RRT,
Respondent.

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TRANSCRIPT OF PROCEEDINGS
THURSDAY, SEPTEMBER 3, 2020
RENO, NEVADA

REPORTED BY: CORRIE L. WOLDEN, NV CSR #194, RPR, CP
JOB NO. 658993

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A P P E A R A N C E S

FOR THE BOARD:

NEVADA STATE BOARD OF MEDICAL EXAMINERS
BY: AARON BART FRICKE, ESQ.

[REDACTED]

THE HEARING OFFICER:

CHARLES B. WOODMAN, ESQ.

[REDACTED]

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I N D E X

WITNESS

PAGE

DONALD ANDREAS

DIRECT EXAMINATION BY MR. FRICKE

16

E X H I B I T S

Exhibits 1 through 23 in white binder

Exhibits 2 through 23 were admitted into evidence

1 RENO, NEVADA, THURSDAY, SEPTEMBER 3, 2020, 1:36 P.M.

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4 THE HEARING OFFICER: All right. We are on the
5 record in the Medical Examiners of the State of Nevada in
6 the Matter of Charges and Complaint against Melissa Teresa
7 Candrilli, C-A-N-D-R-I-L-L-I, RRT, Respondent.

8 On behalf of the Investigative Committee of the
9 Board?

10 MR. FRICKE: Aaron Bart Fricke, Senior Deputy
11 General Counsel.

12 THE HEARING OFFICER: And our Respondent
13 Ms. Candrilli has not appeared today. From what I am aware
14 of from the record in front of me, she has been properly
15 noticed of this hearing, but, Mr. Fricke, I'm going to have
16 you address what you are aware of as far as Ms. Candrilli's
17 nonappearance today.

18 MR. FRICKE: Thank you, Mr. Woodman.
19 Ms. Candrilli called our offices at approximately 10:00 a.m.
20 this morning and informed us that she would not be appearing
21 today. She said that she is flying to Florida to take care
22 of her mother.

23 I had been in contact with her periodically over
24 the last several months, and as of last week it was her
25 intention to, as of Thursday of last week she informed me

1 and my staff that her intention was to appear today.

2 So we prepared our facilities here and in
3 Las Vegas considering the challenges that COVID presents to
4 the Board's business. At considerable staff time and Board
5 costs, we arranged to have both conference facilities here
6 in Reno and in Las Vegas to be made available as well as our
7 witnesses appearing by videoconference and appropriate
8 security was provided, but at the last minute Ms. Candrilli
9 has determined that she will not appear today. That's all,
10 that's all I have to report on that.

11 THE HEARING OFFICER: Very well. Well, again, the
12 record reflects that she has been given proper notice. We
13 know from your offer that she has actual notice, so I'm
14 prepared to move forward with the regularly scheduled
15 hearing today, so I'm going to turn it over to you,
16 Mr. Fricke, to present your case.

17 MR. FRICKE: Thank you, Mr. Woodman. First of
18 all, I would like to thank both of you, the court reporter
19 and Mr. Woodman for coming today, and our staff. This has
20 been a challenge to make arrangements. We are doing our
21 very best to continue the Board's business while maintaining
22 sufficient social distancing measures to protect from the
23 outbreak of COVID-19.

24 We have videoconference available in Las Vegas.
25 For the record, because of some sort of glitch in our system

1 this morning our witness in Las Vegas cannot see us, but he
2 can hear us, and he also knows all of the people here. He
3 is familiar with them personally, so I don't think there
4 will be any difficulty.

5 But so we are maintaining social distance here in
6 the Reno office and sufficient that we will probably remove
7 our masks for the proceeding, although if anybody has to
8 change positions we will redon our masks.

9 THE HEARING OFFICER: And I will just insert for
10 the record that a brief discussion about social distancing
11 and mask wearing was had prior to us going on the record and
12 our court reporter, I think, is comfortable?

13 THE COURT REPORTER: Yes.

14 THE HEARING OFFICER: And I want her to know if
15 she feels like I need to move further back from her, I will
16 gladly do that, because we do not want to endanger the most
17 important part of this proceeding who is keeping our record
18 for us.

19 And so we just want to state for the record that
20 we believe we are doing our part on social distancing so
21 that we can get through the hearing mask-free today.

22 MR. FRICKE: Thank you, Mr. Woodman. One
23 additional note, that the Investigative Committee would like
24 to formally withdraw Count III of the complaint, which was a
25 violation of NRS 630.3061(j), failure to timely notify the

1 Board of a change of permanent address.

2 I will just offer that although contact with
3 Ms. Candrilli and difficulty of our staff in ascertaining
4 her whereabouts and her current address is relevant to the
5 Board's case, we would like to withdraw that count at this
6 time.

7 THE HEARING OFFICER: And that's fine. It's the
8 IC's complaint, so when their counsel wants to dismiss one
9 of the counts, that's fine. We will go on Counts I and II
10 today.

11 MR. FRICKE: Thank you. Lastly, as a bit of
12 housekeeping on the rules of evidence, I will give my
13 obligatory recitation of that. The rules of evidence for
14 proceedings before the Board are set forth succinctly in
15 NRS 233B.123. "Evidence may be admitted, except where
16 precluded by statute, if it is of a type commonly relied
17 upon by reasonable and prudent persons in the conduct of
18 their affairs and when a hearing will be expedited and the
19 interests of the parties will not be prejudiced
20 substantially, any part of the evidence may be received in
21 written form."

22 So, again, as no doubt everyone is aware, that the
23 rules of evidence are somewhat relaxed in a, quote, inquiry
24 of a Board of this character. I have provided citations in
25 the past that the rules of evidence should not be too

1 narrowly constrained by technical rules as to the
2 admissibility of proof in these types of cases as a general
3 rule, and specifically hearsay is not a bar to admissibility
4 as long as the interest of the parties will not be
5 prejudiced substantially.

6 That is, that they are, "Fully apprised of the
7 evidence submitted or to be considered, and must be given
8 opportunity to cross-examine witnesses, to inspect
9 documents, and to offer evidence in explanation or
10 rebuttal." That's a quote from Interstate Commerce
11 Commission versus Baird 194 U.S. 25 at 44, 1904.

12 And so for that reason we will, some of the
13 evidence in here will be offered by our witness, and we
14 believe it's the type of testimony that a reasonable and
15 prudent person would rely on in the conduct of their
16 affairs, and so we would request that it be allowed.

17 THE HEARING OFFICER: And I will just say this for
18 the record. We know it's an administrative hearing. It's
19 not judicial. It's quasi judicial.

20 I'm pretty well versed in the rules of evidence.
21 Based on all of my years of working as a Hearing Officer for
22 the Board, I would be pretty surprised to see you offer
23 anything that doesn't seem appropriate in my view.

24 And at the end of the day, there is a whole lot of
25 what might not otherwise be admissible that gets into

1 evidence when there is no one to object, and so I think the
2 fact that Ms. Candrilli has not availed herself of the
3 opportunity to be here today really just, I'm not going to
4 say it leaves us wide open, because if I see anything that I
5 think is suspect coming in, I will certainly talk about it.

6 Again, I would be very surprised by that, but even
7 in a purely judicial proceeding a lot of what might
8 otherwise not be admissible evidence comes in because it
9 doesn't get objected to, and so those are the ground rules
10 going in. And so I will just say I'm not concerned about
11 what I anticipate seeing in terms of evidence.

12 We already had a pretty significant hearing in
13 this case back in March at the summary suspension hearing,
14 and so I'm familiar probably with most of what I'm going to
15 hear today, none of which was concerning to me the last go
16 around. And, as you know, Mr. Fricke, if I hear anything
17 that concerns me, I will certainly raise that, but I don't
18 anticipate it.

19 MR. FRICKE: Thank you, Mr. Woodman. I will do my
20 very best to protect our record and you will, you will help
21 me out if I go astray.

22 THE HEARING OFFICER: Absolutely.

23 MR. FRICKE: So if I could begin with a very brief
24 opening statement.

25 THE HEARING OFFICER: Please.

1 MR. FRICKE: Thank you. So this case is a case of
2 the Investigative Committee of our Board bringing charges
3 and a complaint against Melissa Teresa Candrilli,
4 respiratory therapist.

5 The heart of this case is a question of
6 Ms. Candrilli's fitness to practice respiratory care, and we
7 are here to make a record of serious incidents that have
8 occurred over the last two years that abundantly demonstrate
9 that Ms. Candrilli is sadly unfit to practice respiratory
10 care, and that is Count I of the complaint.

11 Count II of the complaint is willful and
12 intentional false statement in renewal of a license. That's
13 NAC 630.540, in that through this process Ms. Candrilli did
14 not disclose to the Board, as she was required to do, the
15 fact that she had been dismissed, terminated that is, from
16 her employment at a hospital in Las Vegas and that dismissal
17 occurred just a few months before she filed her renewal
18 application.

19 And the Board became aware of it and noted the
20 failure to disclose that as an omission that was a very
21 important one, because Ms. Candrilli was required to
22 disclose to the Board if she had been dismissed,
23 disciplined, or for violation of any hospital rules, and
24 which she had been, which would usually initiate, cause the
25 Board to initiate an investigation.

1 We believe that the circumstances would
2 demonstrate that that was a willful or intentional omission
3 or misstatement, and we would ask the Board to find on that
4 count as well that she willfully or intentionally provided a
5 false statement on her renewal application.

6 So we have two counts before us and we are here to
7 make a record of Ms. Candrilli's inability to practice
8 respiratory therapy with reasonable skill and safety, a
9 violation of NRS 630.306(1)(a), and a willful and
10 intentional false statement in renewal of a license in
11 NAC 630.540.

12 The Board intends to admit Exhibits 2 through 23
13 into the record. We have only one witness to call today on
14 direct. We have witnesses available on rebuttal, if that
15 were to be necessary. All staff that may be required to
16 further substantiate the documents I'm going to offer are
17 available.

18 But Ms. Candrilli has unfortunately not availed
19 herself of the abundant assistance that our Board staff has
20 offered her to get the help, and by that I mean treatment
21 that we believe that she quite desperately needs.

22 Ms. Candrilli was at one time a functioning
23 respiratory therapist maintaining a license for many years,
24 but sometime around 2017 or 2018 circumstances in her life
25 seemed to have changed, and it's abundantly clear that she

1 has a problem with alcohol and/or drugs, and she has been
2 found by a licensed alcohol and drug counselor, who
3 regularly provides evaluations for the Board, to be unfit
4 for practice among other problems and that is, that is very
5 unfortunate.

6 The Board and its staff stand ready to assist our
7 practitioners with these types of problems providing
8 resources and referral. We stand ready today to help
9 Ms. Candrilli get that help, and we would hope that she does
10 so that at some point in the future she can begin serving
11 patients in the State of Nevada.

12 And respiratory services, respiratory therapy
13 services are actually in need in our state, and so the Board
14 has no interest in taking a good practitioner out of
15 practice. Unfortunately, Ms. Candrilli has demonstrated
16 herself to be unfit and as a matter of public safety she
17 should be removed from practice. And with that I can begin
18 to make our case.

19 THE HEARING OFFICER: And just briefly for the
20 record, there was a time since her suspension when she was
21 actually cooperating and the Board was working with her to
22 rehabilitate her to get her license back in a full
23 functioning status; isn't that correct?

24 MR. FRICKE: There were efforts in not, not --
25 well, I believe that that would be conversations we had in

1 furtherance of settlement of the case, so I can offer as
2 counsel for the IC that I personally engaged with
3 Ms. Candrilli extensively providing Ms. Candrilli an
4 opportunity to settle this case by means of her entering a
5 treatment program and that Ms. Candrilli would, her license
6 would be -- suspension would be held until further order of
7 the Board until she could demonstrate her sobriety, and
8 Ms. Candrilli did not avail herself of that proposal.

9 THE HEARING OFFICER: And the proposal was, just
10 to clarify, it was not that if she cooperated she would lose
11 her license, it was to the contrary, correct?

12 MR. FRICKE: Yes. Pursuant to the summary
13 suspension hearing, which the Investigative Committee
14 summary suspended Ms. Candrilli late last year, and that
15 would have been on December 19th, 2019, a hearing was held
16 on that before you, Mr. Woodman, earlier this year and you
17 based upon the evidence and good cause saw fit to sustain
18 the order pending resolution of this complaint.

19 My proposal to Ms. Candrilli on behalf of the
20 Investigative Committee was that that summary suspension
21 should remain in place until which time she could
22 demonstrate compliance with a regular drug and alcohol
23 treatment program, which would also include periodic drug
24 testing and counseling, and at which time she could make a
25 request to appear before the Board and demonstrate her

1 sobriety and the Board would be given an opportunity to lift
2 that suspension.

3 THE HEARING OFFICER: Very good. I knew that
4 there were substantial efforts from what I gathered both on
5 the record and in communications that involved her off the
6 record that it at least appeared to me that some positive
7 things were happening and then all of that seemed to stop
8 and thus we are here today, so let's go ahead with your
9 case.

10 MR. FRICKE: Okay. So I will just preface by
11 exhibits, so Exhibit 1, there are binders that have been
12 distributed to the Hearing Officer, the court reporter, and
13 our witness down in Las Vegas. We have additional copies
14 available, and the Exhibits 2 through 23 we intend to offer
15 into evidence.

16 We will speak to each one on the record as I go
17 through my case, and I will offer also that these are
18 documents that were submitted in the prior summary
19 suspension hearing and so we are not covering any unfamiliar
20 ground here.

21 THE HEARING OFFICER: Okay. They all do look
22 familiar to me. I looked through the binder and I didn't
23 see anything that looked new to me, so go ahead.

24 MR. FRICKE: So we have our -- may I call my first
25 witness?

1 THE HEARING OFFICER: Certainly.

2 MR. FRICKE: I would like to call Don Andreas,
3 investigator for the Nevada State Board of Medical
4 Examiners. He is appearing via videoconference from
5 Las Vegas.

6 THE HEARING OFFICER: Mr. Andreas, can you hear
7 me?

8 MR. ANDREAS: Yes, sir.

9 THE HEARING OFFICER: All right. I'm sorry that
10 you can't see us. I'm going to have you raise your right
11 hand and I'm going to ask our reporter to swear you.

12

13 DONALD ANDREAS,

14 called as a witness, having been duly sworn,

15 testified as follows:

16

17 THE HEARING OFFICER: Thank you very much, sir.

18 All I will say, Mr. Andreas, is if you have any trouble
19 hearing anybody that is speaking up here, please just let us
20 know. All right. We don't want you to answer what you
21 think is Mr. Fricke's question when, in fact, it was
22 something else, so if you have any issues with the audio let
23 us know so we can adjust the sound.

24 MR. ANDREAS: Will do, sir.

25 THE HEARING OFFICER: Very good. Mr. Fricke, go

1 ahead.

2 MR. FRICKE: Thank you.

3

4 DIRECT EXAMINATION

5 BY MR. FRICKE:

6 Q Don, could you state and spell your name for the
7 record, please.

8 A Donald Andreas, D-O-N-A-L-D A-N-D-R-E-A-S.

9 Q Thank you. Don, what is your current position?

10 A I'm a senior investigator out of the Las Vegas
11 office.

12 Q And you are employed by the Nevada State Board of
13 Medical Examiners, correct?

14 A Correct.

15 Q And how long have you been working as an
16 investigator for the Board?

17 A Since June 27th, 2005.

18 Q So you just had your 15 year anniversary, haven't
19 you?

20 A Correct.

21 Q And, Don, you have been an investigator both in
22 Reno and in Las Vegas, correct?

23 A Correct.

24 Q So you are familiar probably more than anyone with
25 the Board's processes and normal business practices; is that

1 correct?

2 A Yes, sir.

3 Q Okay. So we are going to review some documents
4 today that have been received as part of our investigation
5 and our normal business processes and, Don, I'm going to ask
6 you to speak to them and speak to your personal experience
7 with them, and so let's begin.

8 Could you -- Don has the same binder -- could you
9 turn to Exhibit 2 at Bate stamp, I will be referring to them
10 just simply as page, but the Bate stamps are NSBME with
11 preceding zeros and then 9. So we are at page 9.

12 Don, can you tell me what this document is?

13 A It's a Proof of Service of a Complaint and Order
14 of Summary Suspension of Melissa Candrilli.

15 Q And it is dated December 23rd, 2019, correct?

16 A Correct.

17 Q And the next page 10, we have a Declaration of
18 Service. What is this document, Don?

19 A This is a Declaration of Service regarding this
20 case. Christopher Michael Sartin did an affidavit. They
21 served Ms. Candrilli on December 20th, 2019, at 7:54 PM at
22 her address. He works for --

23 Q Was it Reno Carson Messenger Service?

24 A There it is at the bottom, Reno Carson Messenger
25 Service.

1 Q Right. And her address is [REDACTED]
2 [REDACTED]; is that correct?

3 A Yes, [REDACTED].

4 Q Yeah. And you are familiar with that address?

5 A I am.

6 Q Okay. You have, actually, we will get to that in
7 a minute, but you actually met Ms. Candrilli at that
8 address?

9 A Correct.

10 Q Okay. So if we could turn to Exhibit 3, page 11.
11 Don, what is this document?

12 A This is to verify credentials for the National
13 Board of Respiratory Care.

14 Q So this is an online system provided by the NBRC
15 for people to log into and verify credentials; is that
16 correct?

17 A Yes.

18 Q And this, was this document acquired through our
19 investigation of Ms. Candrilli?

20 A Yes, sir.

21 Q And it was printed out on June 4th, 2018; is that
22 correct?

23 A That's correct.

24 Q Okay. And for the record is the NBRC the National
25 Board of Respiratory Care?

1 A Yes.

2 Q Okay. So is it your, is it your understanding
3 that the NBRC certifies respiratory therapists in their
4 licensure so that they can obtain licenses in respective, in
5 their respective state; is that correct?

6 A That's correct.

7 Q Okay. And so what does this document show?

8 A So this document shows that for her CRT, certified
9 respiratory therapist license, her credentials were valid
10 through May 31st, 2018, and for RRT, respiratory therapist,
11 through May 31st, 2018.

12 Q So based on this, this indicates to you that
13 Ms. Candrilli's license, her certification I should say,
14 expired on May 31st, 2018, and at the time this document was
15 created her license had, her certification had expired; is
16 that correct?

17 A That's correct.

18 Q I direct your attention to Exhibit 4, page 12.
19 Actually, let's go a little bit out of order to Exhibit 5,
20 please, page 13. You have, again, just for the record, Don,
21 you have reviewed all of these documents and are familiar
22 with them; is that right?

23 A I did, yes, sir.

24 Q Okay. So can you tell me what is found on page
25 13?

1 A So this is an e-mail chain from Tara Bailey,
2 Licensing Administrative Assistant, an e-mail to Melissa
3 Candrilli stating that this is a courtesy to remind you that
4 your National Board of Respiratory Care certification is due
5 to expire May 31st, 2018, and then per NAC if a licensee
6 loses certification her license will be automatically
7 suspended by the Board.

8 Q Thank you, Don. So you know that Tara Bailey is
9 an employee of the Board?

10 A Yes, sir.

11 Q Yeah. So Ms. Bailey was a Licensing
12 Administrative Assistant. She is now a Licensing
13 Specialist; is that correct?

14 A I believe so.

15 Q So we can note the e-mail is
16 [REDACTED]. Is it your understanding that
17 is and has been Ms. Candrilli's e-mail address?

18 A Yes, sir.

19 Q Okay. And so that e-mail, that first e-mail from
20 Ms. Bailey was sent on May 8th, 2018, at 2:00 PM; is that
21 correct?

22 A Correct.

23 Q And then what happens according to this document?

24 A And so then Tara Bailey then sent another e-mail
25 to Ms. Candrilli at the same Yahoo address saying, "Hello,

1 Ms. Candrilli. The Board mailed you the attached Order of
2 Suspension, but it was returned to our office. In addition
3 to the Order of Suspension, I have attached a change of
4 address form for you to complete and return to the Board if
5 Pecos Park Avenue is no longer a good mailing address for
6 you."

7 Q And that was on, and sorry to cut you off, Don,
8 and the attachments that are referenced here are an Order of
9 Suspension pdf, an envelope pdf, and change of address pdf.

10 If we turn to page 14, that's the same Order of
11 Suspension that was, that is referenced in Exhibit 4 we will
12 get to in a second. Page 15 is the certified mail envelope
13 being returned to our office.

14 And, Don, and just for clarity, is it your
15 understanding that Ms. Candrilli owned this house or resided
16 at this house at [REDACTED]?

17 A Yes.

18 Q And if you turn to page 16, there is a USPS
19 tracking. And so, Don, is it your understanding that
20 Ms. Candrilli was mailed this Order of Summary Suspension
21 via certified mailed and it was returned to our office on or
22 about July 2nd, 2018?

23 A That's correct.

24 Q And if we turn back to page 12, Exhibit 4, there
25 is that Order of Suspension. Don, NAC Section 630.535, as

1 an investigator for the Board for 15 years, what is the
2 process that occurs once a respiratory therapist
3 certification expires without making, you know, arrangements
4 with the Board?

5 A So it's protocol that we have to suspend their
6 respiratory therapist license.

7 Q Right. And that's by regulation. We don't have
8 any discretion in that matter. It's automatic and we, do
9 we -- so we prepare an order and then we send it to the
10 respiratory therapist?

11 A Yes, sir. We send and/or hand deliver it
12 depending on the situation.

13 Q Thank you. Let's move forward to Exhibit 6, page
14 18. What is this document, Don?

15 A So this is an Order of Reinstatement of License to
16 Practice Respiratory Therapy -- Respiratory Care.

17 Q And so it's dated June 26, 2019?

18 A That's correct.

19 Q So it would be your understanding that from the
20 time of the Order of Suspension, which was June 6, 2018,
21 through June 26, 2019, Ms. Candrilli did not have a license
22 to practice respiratory care; is that correct?

23 A That's correct.

24 Q Okay. And I will turn the page to page 19. What
25 is this, Don?

1 A This is a fax from Melissa Candrilli to Licensing
2 Specialist Kristi Stewart. Good morning, here is the
3 certification, so that was a fax cover sheet.

4 Q So it's your, so we note the
5 [REDACTED] address and the fax cover
6 transmittal reflects it was June 26, 2019 at 9:02 AM, and so
7 that's the self same e-mail address that was on the
8 correspondence from Ms. Bailey; is that correct?

9 A Correct.

10 Q And so this is a, purports to be a fax from
11 Ms. Candrilli to the Licensing Specialist assigned to her
12 case, at the time Kristi Stewart, containing on page 20,
13 what does this look like to you, Don?

14 A This is a document from the practitioner portal
15 for NBRC stating that Ms. Melissa Candrilli has earned her
16 credentials and her respiratory therapist license now
17 expires May 31st, 2023.

18 Q So this would be the same portal that was
19 referenced in Exhibit 3; is that correct?

20 A That's correct.

21 Q So there was about a year period where she didn't
22 have a license, but she communicated with the Board that she
23 had renewed her certification and we lifted the Order of
24 Suspension; is that correct?

25 A That's correct.

1 Q Okay. And that, again, would be our regular
2 process here at the Board?

3 A Yes, sir.

4 Q Okay. If we could turn to Exhibit 7 at page 21.
5 What is this, Don?

6 A This is an allegation letter sent to Melissa
7 Candrilli, basically, you know, stating the allegations that
8 were brought to us during the complaint and also during the
9 allegation and some questions that we asked her to respond
10 to.

11 Q And there is, there is a reference in point 1
12 about, it is alleged that there was some sort of incident at
13 Complex Care Hospital at Tenaya. We will get to that in a
14 second, but can you just briefly tell us, Don, what is, what
15 is an allegation letter and why do we send it out?

16 A So at the time of the investigation it's an
17 allegation, so we are informing them of what the allegations
18 are and what we were informed of, and we are asking them to
19 respond to provide their side of the story.

20 Q Okay. And so why, and why would that be important
21 to us?

22 A Well, due process. I mean, you can't just go off
23 the allegation. We want to hear from them and find out
24 their side of the facts.

25 Q And so we will also discuss this in a moment. So

1 your job as an investigator, is it to prepare cases and who
2 do you present them to?

3 A So once it's finalized, we present it to the
4 Investigative Committee.

5 Q And the Investigative Committee meets how often?

6 A Quarterly, four times a year.

7 Q Okay. And so as an investigator, you investigate
8 cases, gather evidence, and present them to the
9 Investigative Committee on a quarterly basis, correct?

10 A Correct.

11 Q And do you -- and, basically, you take direction
12 from the Investigative Committee; is that right?

13 A Yes.

14 Q So we note that there are two addresses at the top
15 of this letter. One is [REDACTED] and the
16 second address is [REDACTED]. And is it
17 your understanding, Don, that [REDACTED]
18 was the official address that Ms. Candrilli had on file with
19 the Board; is that correct?

20 A Yes, sir.

21 Q And this [REDACTED] was an address
22 that was obtained by Mollie Miller, the Deputy Chief of
23 Investigations, in investigating this case as being a
24 property that Ms. Candrilli either owned or resided at. I'm
25 sorry that's a compound question, but is that your

1 understanding?

2 A That is my understanding.

3 Q Okay. And so this allegation, let's talk about
4 the allegations briefly. What is the, you don't have to
5 read it, but if you could summarize what is the, because the
6 document speaks for itself, what is the allegations roughly?

7 A Basically, that she was employed at Complex Care
8 Hospital at Tenaya and she was under the influence of
9 alcohol while she was working.

10 Q And --

11 A And she may have been practicing respiratory care
12 with a suspended license.

13 Q Okay. Thank you. And on page 22 there are some
14 questions that Ms. Candrilli is asked to provide a specific
15 response to.

16 A That's correct.

17 Q Can you review them very quickly?

18 A "Please indicate if you provided any respiratory
19 care to patients on January 21st, 2019, before you were
20 requested to perform a breathalyzer test. If so, please
21 indicate how many patients you provided respiratory care
22 to."

23 "Please indicate if you have ever enrolled in a
24 substance abuse treatment program. If so, please provide
25 your dates of enrollment, the name and location of the

1 treatment program."

2 "Please provide a list of all of your places of
3 employment since June 6, 2018 where you were required to
4 possess an active Practitioner of Respiratory Care license
5 as a condition of employment."

6 Q Thank you.

7 A "Please include who your employers were on June 6,
8 2018."

9 Q So as an investigator for the Board, would you say
10 that public protection is your number one focus as an
11 investigator?

12 A Absolutely.

13 Q And so why would it be important that we know
14 whether Ms. Candrilli provided any respiratory care to
15 patients on January 21st before she was requested to perform
16 a breathalyzer?

17 A So we would want to know how many patients she saw
18 when she may have been intoxicated at the time; therefore,
19 we could obtain the patient records to see how, what kind of
20 care was provided. Was it substandard, malpractice, below
21 standard?

22 Q All right. And why would it be important for us
23 to know all of the places where Ms. Candrilli worked after
24 June 6, 2018?

25 A I would want to know when, you know, if she didn't

1 have -- Her license wasn't active, so we wanted to know
2 where she was working and, you know, obtain documentation
3 from anyplace that she may have been working without a
4 license.

5 Q Thank you. So on page 23 of that same exhibit,
6 there is a, this is a -- what is this document, Don?

7 A This is from the United States Postal Service.
8 It's a letter basically stating the proof of delivery of
9 that, of the letter we just spoke about.

10 Q And this would be to the proof of delivery to the
11 North Las Vegas address on March 14th, sorry, March 11th,
12 and on page 24 this document was delivered. It would be
13 your understanding, Don, that this document was delivered at
14 1:36 PM on March 11th, 2019, to the [REDACTED] address in
15 [REDACTED]; is that correct?

16 A I believe this one was [REDACTED].

17 Q Oh, [REDACTED]. So that was delivered at [REDACTED].
18 Thank you for correcting me. And then we have another
19 letter that was sent to the [REDACTED] address. Is this the
20 same letter on page 25 and 26?

21 A Yes, it is.

22 Q And then we have a separate delivery. Let's see.

23 A That's correct.

24 Q These look awfully a lot alike.

25 THE HEARING OFFICER: They do.

1 THE WITNESS: Same time. I would say there is a
2 duplicate.

3 MR. FRICKE: Yeah, this may be. So we will note
4 that for the record that one of these is not what they
5 purport to be, Mr. Woodman. But the, but Ms. Candrilli had
6 this allegation letter confirmed to one of these addresses,
7 at least that's what this certification would indicate.

8 THE HEARING OFFICER: And what I have gathered
9 thus far is that there was one address that she had
10 essentially registered with the Board as her official
11 address of record and there was another address she was
12 using where she was actually living, so whether it went to
13 either one should suffice.

14 MR. FRICKE: Yeah. Again, for the record, I will
15 offer that [REDACTED] is the address, at
16 least since November 9th of 2015 was the address that she
17 had on record with the Board, and we can talk about that a
18 little bit more on Exhibit 8, page 29.

19 BY MR. FRICKE:

20 Q Don, what is this document?

21 A This is a second request for a response to the
22 allegations in the letter.

23 Q Okay. And although this isn't necessarily to be
24 accepted as proof of the matter asserted, but there is a
25 note here from the, if you look at the bottom right-hand

1 corner of this note, there is some handwritten notes here.

2 What does this say, Don, at the bottom?

3 A So on May 1st, 2019, it says received letter
4 returned to sender by USPS and then on July 3rd, 2019, a
5 revised allegation letter mailed.

6 Q And would you understand that this is Mollie
7 Miller's handwriting?

8 A Yes. It looks like Mollie's, yes.

9 Q Okay. And so there would be a second request and
10 on page 31 a certified mail envelope. What does this
11 document indicate to you?

12 A So this was a second request that went to the
13 [REDACTED] in [REDACTED] and it was return to
14 sender, meaning it was returned back to us.

15 Q Thank you. All right. Exhibit 9, page 32, Don,
16 what are we looking at here?

17 A So this is an Order to Produce a Response.
18 Basically, what it is is Mollie at the time of the IC was
19 ordering Melissa Candrilli to provide a response to the
20 original allegation letter.

21 Q And this is page 33. It's dated April 9th, 2019;
22 is that right?

23 A That's correct.

24 Q So why generally does the Board, does the
25 Investigative Committee of the Board issue such an order?

1 A So if they do not respond, and when I say they,
2 the respondent in this case Melissa doesn't respond to the
3 allegations, we don't have her side of the story, her
4 response, so we basically are demanding her, telling her you
5 need to respond to these allegations.

6 Q Okay. And in your experience as an investigator,
7 Don, is it important in order to get to the truth of the
8 matter to have both sides of the story?

9 A Oh, absolutely. I mean, this is her time and I
10 always tell them it's their time to shine to, you know, give
11 us her side.

12 Q Right.

13 A Because otherwise we only have the one side.

14 Q And it's, is it your experience that also as a
15 professional it's important in your dealings with the Board
16 to be communicating with Board staff? Would that be your
17 impression?

18 A Oh, absolutely.

19 Q We will move forward to Exhibit 10, page 34. Don,
20 what are we looking at here?

21 A So this is a revised allegation letter.
22 Basically, it's just a lot of times when you are doing an
23 investigation additional allegations come up, additional
24 questions, and so it's just basically the same allegation
25 letter with a little more questions and allegations to it.

1 Q So it would be your understanding that the staff
2 here at the Board, investigative staff became aware of
3 issues regarding her maintaining her address and so they
4 sent her a revised letter, allegation letter, on July 3rd,
5 2019; is that correct?

6 A Yes. And during obviously it appears to be that
7 Mollie noticed that she failed to report this on her 2017
8 and 2019 licensing renewal, and when I say that, the
9 investigation at Complex Care where she was terminated.

10 Q Okay. Great. So you are referring first, so in
11 paragraphs 5 and 6 of the allegations there is a reference
12 to the Order of Suspension being returned, mailed to her
13 address and returned unclaimed. The Board's Order of
14 Suspension being e-mailed to her address that she has
15 already verified in a prior correspondence by fax was her
16 e-mail address. And then paragraph 10 on page 35, that you
17 failed to report on your 2019 Board renewal that --

18 A Yes.

19 Q -- since your last renewal, you had been under
20 investigation by Complex Care at Tenaya for allegations of
21 being under the influence of alcohol during work hours. Are
22 those the items you are referring to as being new?

23 A Yes, sir.

24 Q Okay. Thank you. Okay. Don, why do we ask the
25 question on a license renewal about whether someone has been

1 under investigation by a hospital that employs them? Why do
2 we ask that question?

3 A I think it boils down to patient safety. You
4 know, we want to know were there any issues before we
5 re-license you. We want to be honest with each other.

6 Q Right. And so explain, if you could just for the
7 record very briefly, the Board's operations, you know, the
8 licensees of the Board are not employees of the Board; is
9 that right?

10 A Correct.

11 Q And so we depend upon and we don't have regular
12 daily communications with our licensees; is that right?

13 A That's correct.

14 Q And you don't, Don, as an investigator just
15 regularly inquire with licensees how they are doing and
16 whether they are facing any issues. You don't do that,
17 right?

18 A We do not.

19 Q So would you say as an investigator it's very
20 important for the Board to conduct its business that
21 licensees report to us the information that they are
22 required to report to us? For example, that they have been
23 under investigation by their employer for a violation of
24 some kind of hospital policy, is that important to us?

25 A Absolutely.

1 Q Okay. If we could turn to Exhibit 11 at page 37.

2 What is this, Don?

3 A This is a final request for the response to this
4 investigation, the allegation letter.

5 Q Thank you. And so there is on page 38 an Order to
6 Produce Response. This time it references within 10 days of
7 service and this is dated July 26, 2019.

8 Don, why would we be sending this to
9 Ms. Candrilli?

10 A This is, you know, once again a document, you
11 know, by the Investigative Committee that she needs to
12 respond to the allegations that were provided to her.

13 Q Again, because we want to know what she has to say
14 about the allegations that were presented in the allegation
15 letter, correct?

16 A That is correct.

17 Q So if we turn to Exhibit 12 at page 40, you may
18 recognize your name on here, Don. What is this document?

19 A So this was an Affidavit of Service. Do you want
20 me to elaborate?

21 Q Go ahead. What is it, Don?

22 A So at the time Mollie Miller asked Kim Friedman,
23 Senior Investigator, to go to Melissa Candrilli's house and
24 serve the Order to Produce Response, Final Request and
25 Allegation Letter.

1 Q Okay. And so you served Ms. Candrilli with the
2 Order to Produce Response, Final Request and Allegation
3 Letter on July 26, 2019?

4 A Correct.

5 Q And can you tell me about that day? So you said
6 you were with Kim, and so what did you guys do that day?

7 A So we knocked on her door, and she actually opened
8 the door very quickly, and I explained who we were, showed
9 her identification, and then kind of just told her what I
10 was serving her, and kind of just tried to explain to her,
11 hey, you know, by you not responding you are potentially
12 causing yourself more harm in the long run.

13 We need to hear your side of the story, you know.
14 You are not responding to a Board order, which is a
15 violation of statute of the NRS, so I just calmly told her
16 it would be in her best interest if she would respond
17 properly, and she said she would.

18 Q Okay. Anything else? What else happened that
19 day?

20 A So when I was there, she looked disheveled,
21 flustered, flushed, and she told me that she walked
22 approximately 12 to 15 miles, and I took, I took interest in
23 that. So after we departed, I contacted Mollie Miller,
24 Deputy Chief of Investigations, and I gave her my, you know,
25 professional opinion. I said I think something happened

1 with Melissa Candrilli. I think she just got out of jail.

2 I wasn't, I didn't know that. Just my suspicion
3 of her appearance and the fact that she just told me she
4 walked 12 to 15 miles, I just had an inkling that she just
5 got out of jail.

6 Q Yeah. So it was a hunch that she had been
7 recently released from custody; is that correct?

8 A Yeah, that was what my hunch was.

9 Q So turn to Exhibit 13, page 41. So, Don, to go
10 back to that, when you provided that order to produce
11 records and that final notice on July 26 did you provide
12 Ms. Miller's business card to Ms. Candrilli?

13 A I did.

14 Q And so that's generally either stapled or paper
15 clipped to the envelope that you hand her or in it?

16 A Usually, yeah, usually paper clipped.

17 Q Okay. And so what is this document on page 41?

18 A So this is a fax that is to Mollie Miller from
19 Melissa Candrilli with a picture or a photocopy of Mollie
20 Miller's business card, and it was received in our office,
21 being the Reno State Medical Board's Office, on August 5th,
22 2019 from a UPS store from Melissa.

23 Q All right. On page 42, I'm going to let this
24 document speak for itself, but could you read, Don, the
25 third paragraph on page 42.

1 A "I was suspended/released from Complex Care
2 Hospital for being disoriented and showing symptoms of being
3 under the influence of medication and/or alcohol."

4 Q Okay. So as an investigator of the Board, what do
5 you take this to mean?

6 A So I take it to mean that, you know, she was under
7 the influence while she was at work.

8 Q Or would you say that Ms. Candrilli is
9 acknowledging that she was released from Complex Care for
10 being disoriented and --

11 A Yes.

12 Q Okay. Thank you. And that acknowledgment came,
13 again, August 5th, 2019; is that correct?

14 A Yes. That's the received stamp in the Reno
15 office, yes.

16 Q Thank you. And if we -- and with that fax was
17 included on page 44 a copy of the allegation letter?

18 A The first page.

19 Q That's right. And then on page 45, what is this,
20 Don?

21 A It's a second fax that was sent from the same
22 store from Melissa on the next day, August 6th, 2019.

23 Q And it looks like she changed the date here, or
24 maybe it was the same fax and yet it was just sort of
25 delayed in coming through. It's hard to say, but I won't

1 ask you to testify on that, Don, about how good our fax
2 machine works, but on page 46, what is that document?

3 A So it states it's a Mental Health Suite -
4 Treatment Plan for Melissa Candrilli, so from reading this
5 it appears that she was involuntarily locked up. Basically,
6 Patient's Restrictions: Locked Ward. Receiving inpatient
7 care.

8 Q So is it your understanding that whether she
9 submitted herself to this inpatient care or whether she was
10 referred by some authority, she was receiving inpatient care
11 for what is your understanding?

12 A So yeah.

13 Q What was she receiving care for?

14 A So it states substance abuse/dependence relapse.

15 Q And what is, right below that it says, "Patient's
16 Perception of Needs and Preferences: ETOH." What does that
17 mean to you?

18 A That means alcohol to me.

19 Q Okay. And so was it your understanding that she
20 was in inpatient treatment in a locked ward for alcohol
21 abuse by her own perception of her own needs; is that
22 correct?

23 A That's correct.

24 Q All right. If we turn to Exhibit 14, page 47,
25 this is a rather lengthy exhibit, but 47 through 69 we have

1 documents that purport to be from Complex Care at Tenaya.

2 Don, what are these documents?

3 A So this looks like, it's a job offer. They are
4 offering her a position upon completion of a successful
5 background check and drug screening --

6 Q Right.

7 A -- at Complex Care Hospital.

8 Q So all of these documents, page 47 through 69,
9 Don, is it your understanding that we received these from
10 Complex Care at Tenaya?

11 A Yes.

12 Q And we received that as part of our investigation
13 of the incidents with Ms. Candrilli; is that right?

14 A That's correct.

15 Q Okay. And so I'm going to just go through a
16 couple items and I will let the rest of the documents speak
17 for themselves. So is your understanding based on this,
18 Don, that Ms. Candrilli received a job offer to work there
19 sometime on or around, let's see, maybe she applied for the
20 job on September 7th, 2018?

21 A It looks like the job offer was January 8, 2019.

22 Q Yeah. So she was, on page 51 she was offered a
23 job on January 8th, 2019; is that right?

24 A That's correct.

25 Q And on page 53, Drug-Free Workplace Policy

1 **Acknowledgment. What is that, Don?**

2 A So it's a document from Complex Care acknowledging
3 that you received a Drug-Free Workplace Policy and
4 understand the purpose of the policy is to maintain a safe,
5 drug and alcohol-free environment for all employees and a
6 safe treatment environment for patients.

7 **Q Thank you. And page 54, what is this, Don?**

8 A So this is a document where there is kind of like
9 a checklist. If you see that it appears that she, when I
10 say she I mean Melissa, there was a Fitness for Duty/
11 Reasonable Suspicion Testing Checklist.

12 **Q So this comes from the Supervisor Lloyd Nelson; is**
13 **that correct?**

14 A Correct.

15 **Q So is it your understanding that Mr. Nelson**
16 **observed Ms. Candrilli to be reasonably suspicious of being**
17 **under the influence of some kind of alcohol or drug; is that**
18 **correct?**

19 A Yes. Yes, sir.

20 **Q All right. And if we turn to page 56, no doubt**
21 **you have seen these documents before, right, Don?**

22 A Yes.

23 **Q So what is this form?**

24 A So this is a form that's completed by an alcohol
25 technician, and they took a breathalyzer twice and the

1 breathalyzer test came back the first one at .148 and then
2 approximately 16 minutes later, 15, 16 minutes later it came
3 back at .181.

4 Q All right. So, Don, this is on the same date that
5 the checklist from Mr. Nelson was completed; is that
6 correct?

7 A Yes, January 21st, 2019.

8 Q Okay. So, Don, what is, what is the legal limit
9 for blood alcohol content to operate a vehicle in the State
10 of Nevada?

11 A .08.

12 Q Okay. And you, as an investigator for the Board,
13 you would consider someone over that limit to be impaired;
14 is that correct?

15 A Yes.

16 Q So based upon this, Don, the results -- and so
17 here is an interesting thing. The first result was .148 and
18 the second result was .181. Does anything strike you about
19 that, Don?

20 A Well, it significantly went up.

21 Q So would that indicate that she actually probably
22 has alcohol in her stomach at that point and it was
23 perfusing into her blood? Would that be a fair
24 characterization of what is occurring here?

25 A I would say fair.

1 **Q Okay. So when you --**

2 THE HEARING OFFICER: I just want to interrupt
3 with a quick question. Mr. Andreas, this is Charles
4 Woodman, the Hearing Officer. Do you have any idea, I'm
5 just curious, whether that's a preliminary breath test that
6 they are giving her or an evidentiary test; do you know?

7 THE WITNESS: You know, I do not. I do not, sir.

8 THE HEARING OFFICER: All good. No worries.
9 Go ahead.

10 MR. FRICKE: But I will note for the record that
11 although the document speaks to this, there is a chain of
12 custody statement and official lab results to follow.

13 THE HEARING OFFICER: Very good.

14 MR. FRICKE: And this is given under, in the form
15 of an affidavit.

16 BY MR. FRICKE:

17 **Q And so would you consider, Don, as an investigator**
18 **for the Board somebody with a blood alcohol level of .181 to**
19 **be impaired?**

20 A Yes, sir.

21 **Q Okay. So I will submit for the record that there**
22 **are other statements ostensibly from other employees of**
23 **Complex Care and we will let them speak for themselves**
24 **about that incident.**

25 **Exhibit 15, page 70.**

1 A Okay.

2 Q Don, what are we looking at here?

3 A So this is a licensing renewal for respiratory
4 therapist for the year of 2019 to 2021.

5 Q And this is from Ms. Candrilli?

6 A That's correct.

7 Q And so it has her License Number RC1511 at the
8 top. And so, Don, we spoke to this before. What do we do,
9 what does the Board do and what does a licensee do during
10 the license renewal process?

11 A So they are asked, you know, a multitude of
12 questions yes or no.

13 Q And why do we ask these types of questions?

14 A You know, I'm going to go back to patient safety.

15 Q So would you say that we are trying to determine
16 whether there are concerns about incidents or incidents that
17 the Board ought to investigate to assure the fitness for
18 practice and the continued competency of a licensee, would
19 that be a fair characterization?

20 A That would be correct, yes.

21 Q Okay. And in your 15 years as an investigator,
22 Don, how many license renewal applications have you looked
23 at?

24 A Oh, hundreds. Hundreds, if not thousands.

25 Q So you are very familiar with all of these

1 questions?

2 A I am.

3 Q The third question from the top -- And so, again,
4 it's your understanding that the licensee completes this
5 renewal application, correct?

6 A That's correct.

7 Q So the third question from the top, can you read
8 that question for me?

9 A "If you use chemical substances, does your use in
10 any way impair or limit your ability to practice respiratory
11 care services with reasonable skill and safety?"

12 Q And what is Ms. Candrilli's answer?

13 A "No."

14 Q And this, and when was this renewal application
15 received by the Board?

16 A June 28, 2019.

17 Q Okay. And that would be after, for the record,
18 after these incidents at Tenaya had already occurred; is
19 that correct?

20 A That's correct.

21 Q Okay. The next page, page 71, let me ask this
22 question for comparison, the third from the top, can you
23 read that question?

24 A "Have you had a certificate or license to provide
25 respiratory care services in any other healing art revoked,

1 suspended, limited or restricted in any state, country or
2 U.S. territory?"

3 Q And what was her answer?

4 A "Yes."

5 Q So it would indicate at least that she, that this
6 is a correct answer; is that right?

7 A Yes, sir.

8 Q Because as we have already established,
9 Ms. Candrilli had her license suspended due to the
10 expiration of her certification; is that right?

11 A Correct.

12 Q Okay. If we can go down to the second from the
13 bottom, can you read that question?

14 A "Have you had your registration/certification
15 revoked, suspended and/or limited by the National Board for
16 Respiratory Care?"

17 Q So, again, what did she answer?

18 A "Yes."

19 Q Okay. So that would be a correct answer; is that
20 right?

21 A Yes.

22 Q But if you go one above that, and I will just read
23 it for you, "Have you been asked to respond to," I will
24 eliminate the letters, "have you been asked to respond to an
25 investigation, notified that you were under investigation

1 for, investigated for, charged with, or convicted of any
2 violation of a statute, rule or regulation governing your
3 practice as a practitioner of respiratory care by any
4 medical licensing board, hospital, medical society,
5 governmental entity or agency other than the Nevada State
6 Board of Medical Examiners?"

7 And, Don, what was her answer to that question?

8 A "No." She answered it negatively.

9 Q So it would be your understanding that that would
10 be a lie?

11 A Yes.

12 Q And so what is the purpose of, again, what is the
13 purpose of asking this, as an investigator for the Board why
14 do you want to know whether a licensee has been under
15 investigation, asked to respond to an investigation or
16 notified they were under an investigation by a hospital?
17 Why would you want to know that?

18 A We would want to know what allegations they were,
19 why, what transpired, what was the outcome, was there any
20 patient harm.

21 Q Thank you.

22 A Is there a substance abuse problem.

23 Q Right. And so based upon the fact that
24 Ms. Candrilli by her own admission was suspended and revoked
25 by Tenaya that would be a false statement to your mind; is

1 that correct?

2 A She was terminated, yes.

3 Q Yeah. If we can turn to Exhibit 16 at page 73, a
4 document with a case number at the top, City of North
5 Las Vegas versus Candrilli, Melissa T. Don, what is this
6 document?

7 A So this is a, it's a court document stating an
8 arrest for misdemeanor false statement to/obstruct public
9 officer for Melissa Candrilli.

10 Q Okay. And if I direct your attention to page 74
11 at the middle, a date showing 7-25-2019, "Defendant released
12 from detention." Don, so this is a docket sheet from the
13 City of North Las Vegas Court. What would you indicate,
14 what does this mean to you?

15 A It means to me she was released July 25th, 2019,
16 and Kim Friedman, Investigator, and myself visited
17 Ms. Candrilli on July 26, 2019, where we served her the
18 documents and the allegation letter, and we suspected that
19 she might have just been released from custody from jail.

20 Q So I just wanted to make it, not to be flippant,
21 but I just wanted to make it for the record that Don Andreas
22 has good hunches.

23 Would this document indicate to you that she was
24 arrested the day before and then released on the 25th, and
25 then just to clarify the record you and Ms. Friedman, who we

1 will note for the record has actually entered the conference
2 facility in Las Vegas and she is now on camera, that you saw
3 Ms. Candrilli the very next day and served her with the
4 documents that we referred to previously; is that right?

5 A That's correct.

6 Q Okay. And just one more aspect to explore, page
7 76 of the same exhibit. I will offer that this is a, looks
8 like a police report. Don, what does this say here? I
9 should say what does this indicate to you?

10 A So it indicates to me that Melissa Candrilli was
11 arrested on July 24th, 2019, for false statement to/obstruct
12 a public officer and domestic violence.

13 Q And that's indicated at the bottom of that page.
14 Although she was not charged with domestic violence, would
15 you say that this is the officer characterizing the incident
16 as a domestic violence incident?

17 A Yes, sir.

18 Q Okay. And on page 77, we see also a police report
19 with a suspect name of Walton, Johnny Lee. Don, are you
20 familiar with who Johnny Lee Walton is?

21 A I am.

22 Q Have you met Mr. Walton?

23 A I have, twice.

24 Q When was the first time you met Mr. Walton?

25 A The first time I met him I was with Investigator

1 Kim Friedman and myself at the North Las Vegas courthouse,
2 and we served Ms. Candrilli with some documents and he was
3 with her present and started asking me some questions.

4 Q And --

5 A That was the first time.

6 Q So we will get to that in a moment, but your
7 understanding is you were serving Ms. Candrilli an order to
8 appear before the Investigative Committee; is that right?

9 A That's correct.

10 Q All right. And so can you just briefly describe
11 your interaction with Mr. Walton?

12 A It just, he was, you know, just came on pretty
13 strong like he didn't know who I was and he started asking
14 questions. I can't recall exactly, but he kept hammering
15 Kim and I to the point where we just kind of just walked
16 away from him. I said we served the document, she needs to
17 appear, and that was it.

18 Q Okay. And so can you -- so previously you
19 testified that the Investigative Committee meets quarterly;
20 is that correct?

21 A Correct.

22 Q And so in the summer of 2019, what is your, what
23 is your understanding that was your instructions from the
24 Investigative Committee with respect to Ms. Candrilli?

25 A So the Investigative Committee decided, you know,

1 due to the case facts that they wanted to bring
2 Ms. Candrilli in for an appearance in front of them.

3 **Q And why generally would the Investigative**
4 **Committee want to do that?**

5 A There would be a couple reasons. One, kind of
6 just get a feel of how she presents, you know, is there some
7 issues, how does she seem.

8 Also, due to the allegations, you know, the
9 serious nature of the allegations and, you know, to see if,
10 hey, if there is an issue, meaning substance abuse or do you
11 need some type of assistance, maybe we can, you know, help
12 you get into a program.

13 **Q All right. And so specifically with respect to**
14 **Ms. Candrilli now, why did the Investigative Committee want**
15 **Ms. Candrilli to appear before them?**

16 A For just basically what I just stated, that they
17 wanted to, you know, see how she presented, discuss the
18 allegations of, you know, her not responding for one, her
19 being terminated for alcohol while she was working. So all
20 of the allegations together, they felt that it was apparent
21 that they needed to speak to her directly.

22 **Q Okay. And so we will get to it in a moment, but**
23 **so there was another court matter that Ms. Candrilli**
24 **appeared at the courthouse for this time, I believe it was**
25 **the, yeah, the City of North Las Vegas courthouse and she**

1 was arraigned in that proceeding on September 5th.

2 Don, do you recall, was that when you served the
3 order for appearance on Ms. Candrilli?

4 A Yes, that's the day Kim and I served her outside
5 of the courthouse.

6 Q And is it right that you served her there because
7 you know, you knew she was going to be there and due to your
8 difficulties in serving her previously you thought it better
9 to serve her on the courthouse steps; is that right?

10 A Yes. And the reason was, one, we preferred not to
11 go to her home due to the fact that after Kim and I
12 presented the first time to her house, she called Reno and
13 sent some faxes stating you came to my house once, don't do
14 it again, kind of intimidating/threatening, so we felt it
15 would be better to do it in a public setting.

16 Q Thank you. So can you briefly discuss what
17 happened at that appearance? Start from the beginning.
18 That appearance occurred, did that appearance occur in
19 November of 2019 at the IC meeting in Las Vegas?

20 A Yes, sir.

21 Q And so how did that appearance first begin?

22 A So during the meeting I received a text message
23 from an employee from the Nevada State Board of Medical
24 Examiners that Melissa Candrilli was out in the, you know,
25 kind of the lobby/office, and the gentleman that she was

1 with, I shouldn't say gentleman, the guy she was with was
2 going to beat her up, and I can't remember if he was
3 choking, going to choke her, but they were worried that he
4 was going to harm her.

5 Q So, I'm sorry, to clarify the record, that was in
6 the Dental Examiner's Office; is that correct?

7 A That's correct.

8 Q And to explain for the record, is it right that
9 the Medical Examiner's Board shares office space with the
10 Dental Examiner's Board in Las Vegas; is that right?

11 A That's correct.

12 Q And you are actually in formerly the Dental
13 Examiner's conference room right now, correct?

14 A That's correct.

15 Q And so when the Investigative Committee conducts
16 its meetings, it conducts them in that room, but
17 participants are to appear in the Medical Examiner's waiting
18 room and then be led in from there; is that right?

19 A Correct.

20 Q Okay. And so what happened then?

21 A So after I received a text, the IC members were
22 ready for Melissa Candrilli, and she was adamant that she
23 would not come in unless her boyfriend Johnny Walton was
24 able to come in. So we discussed it, and the Investigative
25 Committee decided to let him in. When I say him, Johnny

1 Walton, so I brought him back into the conference room.

2 Q So just to recapitulate, so it's your
3 understanding that Mr. Walton, it was reported to you that
4 Mr. Walton was choking Ms. Candrilli in the waiting room of
5 the Dental Board a few minutes before she was led in for her
6 appearance before the Investigative Committee; is that
7 right?

8 A It was my understanding that they were, the Dental
9 Examiners were afraid that he was going to harm her,
10 Johnny Lee and Melissa. I'm not sure if he was choking her.
11 I wasn't there, but there was definitely some report to me
12 that there was a threat of domestic violence.

13 Q So what happened at the appearance in the
14 conference room that you are sitting in right now?

15 A So the Investigative Committee decided to let him
16 come in, and I knew from the second I saw him that he was
17 intoxicated. I could see his eyes. I could see the way he
18 was talking, the way he was acting.

19 So he ended up sitting down at the end of the
20 table here. I was on the end just like I am here on the
21 opposite end. Kim Friedman was sitting next to me and he
22 sat next to Kim.

23 During this time, he appeared to be very
24 aggressive towards Kim Friedman. He appeared to be
25 disruptive during the meeting trying to ask her questions.

1 He had items in his pocket we were unaware of.

2 It got to the point where he was way more
3 aggressive than we wanted due to the fact that, you know, he
4 appeared to be under the influence of alcohol or some
5 substance, it got to the point where I literally grabbed my
6 name plate like this, and not to be blunt, but I thought I
7 was going to have to crack him in the head.

8 Q So, for the record, Mr. Andreas just picked up a
9 name plate that sits on our conference table and weighs a
10 couple pounds. So you, based upon your experience, Don, you
11 were afraid that there was going to be some sort of
12 altercation with Mr. Walton; is that right?

13 A Oh, I felt pretty confident, yeah.

14 Q So tell us who was asking, what Investigative
15 Committee member was questioning Ms. Candrilli?

16 A Dr. Muro.

17 Q And noting that you were distracted somewhat by
18 Mr. Walton, what was the nature of Dr. Muro's inquiry with
19 Ms. Candrilli?

20 A You know, I didn't catch much of it, because I was
21 too caught up with the way Johnny was acting towards Kim,
22 and so I didn't really get the gist of it. From the little
23 bit I did, I think he was trying to decide if she would like
24 to get into a program.

25 Q And by program you mean an alcohol and drug

1 treatment program?

2 A Correct.

3 Q And as an investigator for the Board for so long,
4 you are very familiar with the treatment programs and
5 services that are made available to our practitioners; is
6 that right?

7 A Correct.

8 Q And, I mean, Don, how many practitioners have you
9 seen go through such a program over the last 15 years?

10 A You know, I couldn't give you an exact number, but
11 it's a significant amount.

12 Q Yeah. And so you have personally observed many
13 practitioners successfully going through those programs,
14 completing them, and returning to practice; is that correct?

15 A That's correct.

16 Q Okay. And so at the conclusion of that meeting,
17 what was the Investigative Committee's instructions to you?

18 A Well, to the investigators it was to get her in a,
19 get her an evaluation with a substance alcohol treatment
20 program and see where we go from there.

21 Q And so how -- So the way that you do that is to
22 prepare and deliver to Ms. Candrilli an order for
23 appearance; is that correct?

24 A Well, at that time it wouldn't be an order for
25 appearance. It would be an order to appear to the provider

1 that, the professional that we chose to evaluate her.

2 Q Yeah, I'm sorry, that's my mistake. So did you --
3 And that's what you did, you prepared an order for an
4 evaluation; is that correct?

5 A Correct.

6 Q And then you served that order on Ms. Candrilli;
7 is that correct?

8 A That's correct. Or I did not. I believe it was a
9 process server.

10 Q Okay. Thank you. We will skip forward to and,
11 again, there is a more lengthy description of the events at
12 issue in that first domestic violence, nominally domestic
13 violence incident, so those documents speak for themselves.
14 But we will go to Exhibit 17, and can you briefly discuss
15 what this is and what it indicates to you about another
16 incident involving Ms. Candrilli?

17 A So this is a police report from the City of North
18 Las Vegas and had to do with an arrest for failure to
19 maintain proper, properly maintain travel lane, DUI above
20 legal limit.

21 Q Thank you, Don. And, again, these documents will
22 speak for themselves, but as part of this police report I
23 will offer that there is a discussion of the state
24 Ms. Candrilli was in at that time, as well as I will note a
25 picture on page 92. Don, what is that a picture of?

1 A A photo of a vehicle that is smashed in the front
2 and knocked down an apartment sign.

3 Q So it's your understanding that Ms. Candrilli was
4 involved in a DUI crash where she wrapped her BMW around a
5 parking sign; is that correct?

6 A Into a parking sign, yes, sir.

7 Q Thank you. Can you turn now to Exhibit 18, page
8 99, and this would be the docket for, the docket sheet for
9 this case. What is, what does that indicate that was the
10 disposition of this case on page 99?

11 A She pled no contest and she pled and it was, the
12 case was completed.

13 Q Okay. And so, again, she pled that at the
14 arraignment -- or, I'm sorry, no, well, at her arraignment
15 that was when you served her with the order for the
16 appearance that we just discussed; is that correct?

17 A Right.

18 Q All right. Exhibit 19, page 104, what is this
19 document, Don?

20 A This is an Order for Competency Evaluation and
21 Fitness to Practice Medicine by the Investigative Committee.

22 Q And so this would have been the order that the
23 Investigative Committee directed you to have prepared and
24 served on Ms. Candrilli; is that correct?

25 A Correct.

1 Q Okay. And on Exhibit 20 now, page 106, what is
2 this document?

3 A This is a Declaration of Service for Melissa
4 Candrilli for the Order for Competency Evaluation and
5 Fitness to Practice Medicine on 12-3-2019. It was served by
6 John White who worked for Reno Carson Messenger Service.

7 Q And it was served, was this served at her
8 residence, [REDACTED]?

9 A Correct.

10 Q Thank you. We are almost to the end.

11 And I would like to spend a little bit of time on
12 this document. Don, page 107, Exhibit 21, what is this
13 document?

14 A This is a document from PRN that was prepared by
15 the Program Director, Larry Espadero and Dr. William Bauer,
16 Medical Director.

17 Q Don, what is PRN?

18 A It's a professional assistance program that goes
19 through Monte Vista Hospital that they help professionals
20 with substance abuse, alcohol.

21 Q And in your 15 years as an investigator, how many
22 practitioners have you observed going through the PRN
23 program?

24 A A significant amount.

25 Q Probably, probably more than 100 maybe?

1 A That probably would be a little high.

2 Q **Maybe 50?**

3 A Maybe, yeah.

4 Q **A better question, you know Mr. Espadero?**

5 A I do.

6 Q **And you understand that Mr. Espadero regularly**
7 **performs evaluations of practitioners for PRN; is that**
8 **right?**

9 A He does, yes, sir.

10 Q **All right. What is your understanding of what**
11 **occurs in one of these evaluations, Don?**

12 A So the investigator, you know, prepares a packet
13 of all of the documents, the evidence, police reports, and,
14 you know, provides it to Mr. Espadero. He reviews it and
15 then he meets with, he met with Melissa Candrilli. He kind
16 of gets the family history, you know, all of her history,
17 testings, mental status, and then he provides a summary and
18 a recommendation.

19 Q **And this type of report, Don, is this a report**
20 **that the Investigative Committee regularly relies on in**
21 **determining the fitness for practice or competency of a**
22 **practitioner?**

23 A Yes.

24 Q **Again, this document speaks for itself, but I**
25 **would like you to turn to page 108 and read the summary that**

1 **Mr. Espadero prepared.**

2 A "The client was disheveled, pallid and tremulous,
3 a lot of anxiety and poor historian. She admits to being
4 alcoholic, and although her memory is poor to the incidents,
5 she does not dispute them. This could be from blackouts or
6 selective memory. She is in poor physical shape and may
7 need detox. This patient is not currently fit to practice."

8 Q **So let's look at that last sentence, "This patient
9 is not currently fit to practice." Don, how many of these
10 kinds of reports have you seen over the years?**

11 A I have seen a few, but not many that come back
12 that states that fact. Usually, you know, they recommend
13 that they are in a program but they can still practice
14 safely. This one didn't say that.

15 Q **So, Don, have you seen -- you have seen reports
16 that show that someone is actually well and ready to
17 practice; is that right?**

18 A Correct. Yes, sir.

19 Q **And you have seen other reports that say that a
20 practitioner may need treatment; is that right?**

21 A Correct.

22 Q **And would you say between those first and second
23 classes of reports that would be the vast majority of
24 reports that you receive from Mr. Espadero on a
25 practitioner; is that right?**

1 A Yes.

2 Q So in this case, however, Mr. Espadero took the
3 extraordinary step to note that Ms. Candrilli is unfit to
4 practice; is that right?

5 A That's correct.

6 Q Okay. And can you tell me once you received the
7 report from Mr. Espadero, what did the Licensing Division do
8 with that information?

9 A Well, the Investigative Division then provided it
10 to legal where it was decided that the Investigative
11 Committee would review it and decide to summary suspend
12 Ms. Candrilli's license.

13 Q So it's your understanding that the presentation
14 of that report and all other, all evidence was presented to
15 the Investigative Committee and that the Investigative
16 Committee determined to order that Ms. Candrilli be summary
17 suspended; is that right?

18 A That's correct.

19 Q Thank you. And, lastly, page 114, the last
20 Exhibit 23, there is a, what is this document, Don?

21 A Proof of Service of the Complaint and Order of
22 Summary Suspension.

23 Q And so when, so when we summarily suspend
24 somebody, Don, what do we do?

25 A So they get hand served the summary suspension

1 order and their license is suspended at that moment.

2 Q So by this Declaration of Service, Ms. Candrilli
3 was served with not only an Order of Summary Suspension, but
4 a concurrent complaint; is that correct?

5 A That's correct.

6 Q Okay. So this Declaration of Service demonstrates
7 the fulfillment of the service of the complaint itself.

8 Don, for what it's worth, you have discussed you
9 had multiple meetings with Ms. Candrilli; is that right?

10 A Yes.

11 Q Based upon all of this evidence, in your opinion
12 as an investigator, senior investigator for the Board of
13 more than 15 years, is Ms. Candrilli unfit to practice?

14 A In my professional opinion, I would say so, yes,
15 sir.

16 Q Don, would you, do you stand ready to help
17 Ms. Candrilli receive appropriate services for drug and
18 alcohol treatment if she were to contact you?

19 A Oh, absolutely.

20 Q I know that's speculation, but I want to make it
21 for the record that, Don, you would definitely help
22 Ms. Candrilli however you could if you were given the
23 opportunity; is that right?

24 A Yes. We would give her some suggestions and/or,
25 you know, ideas on how to start getting healthy.

1 Q And, Don, you regularly do that for practitioners
2 that are under investigation; is that right?

3 A We do.

4 Q All right. Last thing, do you have any personal
5 animosity against Ms. Candrilli?

6 A I do not. I don't know her other than the few
7 dealings I have had with her.

8 Q Is there anything you would like to say about this
9 case, Don, before I let you go?

10 A It's unfortunate that she didn't cooperate,
11 because I think we could have helped her, you know, get, you
12 know, back to normal. When I say normal, get her some
13 treatment where she could keep her license to practice
14 medicine, but, you know, it takes, you know, you got to have
15 a willing partner, you know.

16 Q All right. Don, thank you so much for helping us
17 out today, and I just, Don is a fantastic investigator and
18 he really goes above and beyond on a daily basis to help the
19 Board, and I think you have done a really marvelous job, you
20 and Kim with this case, so thank you for coming in today.

21 A Thank you.

22 THE HEARING OFFICER: Thank you, Mr. Andreas.

23 THE WITNESS: Thank you.

24 MR. FRICKE: I may take a one minute break.

25 THE HEARING OFFICER: Sure.

1 (Whereupon a break was taken from 3:10 p.m. to 3:17 p.m.)

2

3 THE HEARING OFFICER: We will just state we are
4 back on the record in the Melissa Candrilli, RRT, Case
5 Number 19-33868-1. We have heard testimony from
6 Mr. Andreas, obviously all direct since there is nobody here
7 on behalf of Ms. Candrilli to cross-examine, and so I will
8 go back to Mr. Fricke. Do you have any other witnesses and,
9 if not, do you want to make a closing argument?

10 MR. FRICKE: No, Mr. Woodman, I have no further
11 witnesses, so I will close my case and make a brief closing.
12 The Nevada State Board of Medical Examiners is tasked with
13 maintaining the continuing competency of practitioners that
14 are licensed by our Board, and in doing so we must put the
15 interests of public protection above the interests of the
16 medical profession, and that's found in the Legislative
17 declaration for NRS Chapter 630.

18 That is a unique and I would say extraordinary
19 declaration of our job at the Board. It's to put the needs
20 of patients and the protection of the public above the needs
21 of individual practitioners.

22 Now, that's a two-way street. The patients
23 benefit from having good practitioners practicing good
24 medicine and a lot of them. I say that often our job here
25 is excellent practitioners, excellent medicine, as many as

1 possible.

2 And Ms. Candrilli has conducted herself in her
3 private life, and sadly and I want to reemphasize, I take no
4 pleasure in this whatsoever in saying this, but
5 Ms. Candrilli has apparently conducted herself in her
6 private life and her professional life and in her dealings
7 with the Board in ways that are simply incompatible with
8 licensure.

9 One must possess a license for respiratory care to
10 practice respiratory therapy and see patients and attend to
11 their needs in this state. Ms. Candrilli through her
12 conduct has demonstrated that she is unfit to fulfill her
13 obligations as a respiratory therapist and safely practice
14 that art in our state. So as to Count I of the complaint, I
15 would submit that those allegations are abundantly proved.

16 With respect to Count II, as the evidence
17 demonstrates the Board depends upon certain interactions,
18 regular interactions with our licensees for us to conduct
19 our role of oversight and ensuring the continuing competency
20 of our licensees.

21 As Mr. Andreas testified, the most fundamental way
22 that we do that, that interaction, is by a licensing renewal
23 application. It's a very serious document, every
24 practitioner knows it. Whether you are a lawyer or a
25 doctor, when you fill out your form to your licensing

1 agency, you know that you must tell the truth.

2 And we ask those questions like have you been
3 investigated for or dismissed from a hospital that's
4 employing you in order to determine whether there is a need
5 to inquire further as to the continuing competency of a
6 licensee.

7 And Ms. Candrilli on her licensing application in
8 2019 knowing full well that she had been released from
9 Tenaya from Complex Care having already responded to the
10 Board in a, with a correspondence acknowledging that she,
11 that that had occurred to her and having been arrested, she
12 acknowledged that that had occurred and yet on her licensing
13 application she answered no to that question.

14 So her own, by her own admission the fact that she
15 had acknowledged that it had occurred and later denied that
16 it had occurred would indicate that it's not only a false
17 statement, but that it's willful and intentional, and so I
18 would submit that Count II of the complaint has been
19 abundantly proved.

20 Lastly, Ms. Candrilli is not a fundamentally bad
21 person, and I don't believe that there is a single staff
22 member here who regards her as such. No doubt Ms. Candrilli
23 was a respiratory therapist for many years licensed by our
24 Board in good standing that I believe began in the early
25 2000s, but a couple years ago her life seems to have taken a

1 turn for the worse.

2 Our Board staff stands ready to assist her however
3 we can with supplying her with resources and referral to get
4 the care that she needs, but regardless, however, her
5 actions are incompatible with licensure and she is unfit to
6 practice.

7 And the Board may pending your recommendation,
8 Mr. Woodman, determine that she should not be practicing
9 anymore and there are various avenues to guarantee that she
10 is incapacitated from practice. But as to the allegations
11 of the complaint, we believe that they are proved and we
12 believe Ms. Candrilli should not be practicing respiratory
13 care until further order of the Board. Thank you.

14 THE HEARING OFFICER: Thank you, Mr. Fricke. I'm
15 not going to beat around the bush. Obviously, I have the
16 duty once I get the formal record from our reporter to
17 prepare the synopsis and recommendations for the Board and I
18 will do that, but there is just not any basis for me to do
19 anything here from the record in front of me other than to
20 recommend that she be suspended.

21 What you state in your argument I think is
22 appropriate. Her life has taken a hard left turn in the
23 last few years. There doesn't seem to be any question about
24 the fact that alcohol is a problem for her.

25 We know that's a disease. We know it can be

1 treated. It's up to her to decide what she will do about
2 that, but she does not in any way, shape or form appear fit
3 to be practicing respiratory therapy.

4 And, furthermore, the evidence I think is clear as
5 to Count II as well, as far as her making an intentional
6 misrepresentation on the application for, or I guess
7 reapplication for licensure.

8 So my findings will be detailed once I have the
9 official record. I took a good amount of notes, but there
10 will certainly be a recommendation consistent with the
11 allegations in the complaint.

12 MR. FRICKE: And, I'm sorry, I may be interrupting
13 you and I'm sorry, Mr. Woodman, but for the record I move
14 that Exhibits 2 through 23 be admitted as exhibits. 1
15 through 23, but they are stated as Exhibits 2 through 23.
16 Obviously, Exhibit 1, the complaint, is part of the record.

17 THE HEARING OFFICER: Right, and they will be
18 admitted. And I guess we did miss that in housekeeping,
19 but, again, there is nobody here to object that they not
20 come in and so they are admitted. They are now officially
21 part of the formal hearing record, and I will get my formal
22 written decision out for the Board. You are hoping to
23 present this formally to the Board at which hearing?

24 MR. FRICKE: At the last Board meeting of the
25 year. I believe it might be November 30th or the first week

1 of December, so.

2 THE HEARING OFFICER: That shouldn't be a problem.

3 All right. Thanks very much and a special thanks to our

4 reporter.

5 (Exhibit Numbers 2 - 23 were admitted into evidence.)

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7 (Whereupon the proceedings concluded at 3:27 p.m.)

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2 STATE OF NEVADA)
) ss.
3 WASHOE COUNTY)

4 I, CORRIE L. WOLDEN, a notary public in and for the
5 County of Washoe, State of Nevada, do hereby certify:

6 That on Thursday, the 3rd day of September, 2020, I
7 reported the proceedings in the matter entitled herein; that
8 said witnesses were duly sworn by me;

9 That said transcript which appears hereinbefore was
10 taken in verbatim stenotype notes by me and thereafter
11 transcribed into typewriting as herein appears to the best
12 of my knowledge, skill and ability and is a true record
13 thereof.

14 I further certify that I am not an attorney or counsel
15 for any of the parties, nor a relative or employee of any
16 attorney or counsel connected with the action, nor
17 financially interested in the action.

18

19 DATED: At Reno, Nevada, this 17th day of September,
20 2020.

21

22


CORRIE L. WOLDEN, CSR #194, RPR, CP

23

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unique 64:18		<hr/> W <hr/>	wearing 6:11	will 5:9 6:4,6, 8,9,15 7:2,9, 12,18,19 8:4, 12,13,17 9:5, 10,17,19,20 14:10,16,17
United 28:7		waiting 52:17 53:4	week 4:24,25 68:25	
unless 52:23	vehicle 41:9 57:1			

15:18,24 17:9 18:6 20:6 21:11 22:24 24:13,25 29:3,14 31:19 39:16 42:10, 21,23 45:22, 23 48:1,7 49:6 50:22 56:10,14,21, 23,24 64:3,7, 11 67:18 68:1,8,10,17, 21	8:8 11:14 64:8,11 Woodman 4:18 5:17,19 6:22 9:19 13:16 29:5 42:4 64:10 67:8 68:13 work 32:21 37:7 39:18 worked 27:23 58:6 working 8:21 12:21 16:15 26:9 28:2,3 50:19 Workplace 39:25 40:3 works 17:22 38:2 worried 52:3 worries 42:8 worse 67:1 worth 62:8 wrapped 57:4	written 7:21 68:22 <hr/> Y <hr/> Yahoo 20:25 year 13:14,16 16:18 23:21 25:6 43:4 68:25 years 8:21 10:8 11:23 22:1 43:21 55:9 58:21 60:10 62:13 66:23,25 67:23 yet 37:24 66:12 yourself 35:12 <hr/> Z <hr/> zeros 17:11	
willful 10:11 11:2,9 66:17 willfully 11:4 William 58:15 willing 63:15 withdraw 6:24 7:5 within 34:6 without 22:3 28:3 witness 6:1 8:13 11:13 14:13,25 15:14 29:1 42:7 63:23 witnesses 5:7			

4

EXHIBIT 2

BEFORE THE BOARD OF MEDICAL EXAMINERS
OF THE STATE OF NEVADA

* * * * *

In the Matter of Charges and Complaint
Against
MELISSA TERESA CANDRILLI, RRT,
Respondent.

Case No. 19-33868-1

FILED

DEC 23 2019

NEVADA STATE BOARD OF
MEDICAL EXAMINERS

By: 

PROOF OF SERVICE

COMPLAINT AND ORDER OF SUMMARY SUSPENSION

IN THE INVESTIGATIVE COMMITTEE OF THE NEVADA STATE BOARD OF MEDICAL EXAMINERS
IN AND FOR THE COUNTY OF WASHOE

IN THE MATTER OF THE INVESTIGATION OF
MELISSA T CANDRILLI, RRT,

Plaintiff(s),

CASE NO: 19-33868-1

VS.

Defendant(s),

DECLARATION OF SERVICE

STATE OF NEVADA

COUNTY OF Clark

ss.:

CHRISTOPHER MICHAEL SARTIN, being duly sworn says: That at all times herein Affiant was and is a citizen of the United States, over 18 years of age, and not a party to nor interested in the proceedings in which this Affidavit is made.

That Affiant received copy(ies) of the On 12/20/2019 and served the same on 12/20/2019 at 7:54 PM by delivery and leaving a copy with:

1. Delivering and leaving a copy with Melissa T. Candrilli, RRT at [REDACTED]

A description of Melissa Candrilli is as follows

Gender	Color of Skin/Race	Hair	Age	Height	Weight
Female	White	Brown	48	5'5	165

Pursuant to NRS 239B.030 this document does not contain the social security number of any person.

Affiant does hereby affirm under penalty of perjury under the law of the State of Nevada that the foregoing is true and correct.

Executed on: 12/23/2019

by CHRISTOPHER MICHAEL SARTIN

Registration: R-096440

No notary is required per NRS 53.045

X

[REDACTED]
CHRISTOPHER MICHAEL SARTIN
Registration: R-096440
Reno Carson Messenger Service, Inc #322
185 Martin St
Reno, NV 89509
(775) 322-2424
www.renocarson.com

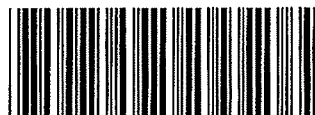


EXHIBIT 3



Verify Credentials

Credential Holders

[Login](#) to verify your own credential and request an official credential verification letter.

Employers, Verification Agencies & Consumers

Credentialing information provided by the NBRC (electronic, verbal, written or otherwise) is considered primary source verification.

Search	
<i>First Name</i>	
<input type="text" value="Melissa"/>	
<i>Last Name</i>	
<input type="text" value="Candrilli"/>	
<i>Credential</i>	
<input type="text" value="All"/> <input checked="" type="checkbox"/>	
<i>City</i>	<i>State</i>
<input type="text"/>	<input type="text" value="Select"/> <input checked="" type="checkbox"/>
<i>Birthdate</i>	
<input type="text" value="mm/dd/yyyy"/>	

CANDRILLI, MELISSA T.	Credential	Valid Thru
	CRT	05/31/2018
	RRT	05/31/2018

Credentials expire on the date indicated and will not be recognized as valid if this individual does not complete the Continuing Competency Program requirements. If a valid thru date is not listed, the credential does not expire and the individual is not required to participate in the Continuing Competency Program.

EXHIBIT 4

#34102

Before the Board of Medical Examiners of the State of Nevada

* * * * *

In the Matter of the License of:)
)
)
MELISSA TERESA CANDRILLI, RRT)
)
License No. RC1511)
)

ORDER OF SUSPENSION

TO: Melissa Teresa Candrilli, RRT
[REDACTED]
[REDACTED]

Nevada Administrative Code (NAC) section 630.535 provides that the license of a practitioner of respiratory care shall be automatically suspended until further order of the Board, should the licensee lose their certification by the National Board for Respiratory Care (NBRC). Verification provided by the NBRC indicates your certification expired on May 31, 2018. Accordingly, your license to practice respiratory care in the state of Nevada is hereby **SUSPENDED**. Should you practice respiratory care after the service of this order, you shall be in violation of NAC 630.540(10). The suspension of your license to practice respiratory care shall remain in effect until further order of the Board.

It is so **ORDERED**.

DATED this 6th day of June, 2018.

[REDACTED]
Rachakonda D. Prabhu, M.D, President
Nevada State Board of Medical Examiners

EXHIBIT 5

Tara Bailey

From: Tara Bailey
Sent: Tuesday, July 03, 2018 11:13 AM
To: [REDACTED]
Cc: Tara Bailey
Subject: RE: National Board of Respiratory Care (NBRC) Certification
Attachments: Order of Suspension.pdf; Envelop.pdf; Change of Address.pdf

Hello Ms. Candrilli,

The Board mailed you the attached Order of Suspension, but it was returned to our office. In addition to the Order of Suspension, I have attached a change of address form for you to complete and return to the Board if Pecos Park Avenue is no longer a good mailing address for you.

Respectfully,

Tara Bailey
Licensing Administrative Assistant
Nevada State Board of Medical Examiners
9600 Gateway Drive
Reno, NV 89521
Phone: [REDACTED]
Fax: (775)688.2551

From: Tara Bailey
Sent: Tuesday, May 08, 2018 2:00 PM
To: [REDACTED]
Subject: National Board of Respiratory Care (NBRC) Certification

Good afternoon Ms. Candrilli,

Please be advised, this is a courtesy of the Board to remind you your National Board of Respiratory Care (NBRC) certification is due to expire 05/31/2018.

Per NAC 630.535 **Suspension upon loss of certification.** (NRS 630.130, 630.279) If a licensee loses certification by the National Board of Respiratory Care or its successor organization, his or her license to practice respiratory care is **automatically suspended until further order of the Board.**

Please let me know if you have any questions or concerns.

Respectfully,

Tara Bailey
Licensing Administrative Assistant
Nevada State Board of Medical Examiners
9600 Gateway Drive
Reno, NV 89521
[REDACTED]
[REDACTED]
Fax: (775)688.2551

#34102

Before the Board of Medical Examiners of the State of Nevada

* * * * *

In the Matter of the License of:)
)
)
MELISSA TERESA CANDRILLI, RRT)
)
License No. RC1511)
)

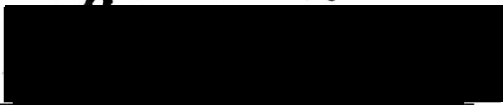
ORDER OF SUSPENSION

TO: Melissa Teresa Candrilli, RRT

Nevada Administrative Code (NAC) section 630.535 provides that the license of a practitioner of respiratory care shall be automatically suspended until further order of the Board, should the licensee lose their certification by the National Board for Respiratory Care (NBRC). Verification provided by the NBRC indicates your certification expired on May 31, 2018. Accordingly, your license to practice respiratory care in the state of Nevada is hereby **SUSPENDED**. Should you practice respiratory care after the service of this order, you shall be in violation of NAC 630.540(10). The suspension of your license to practice respiratory care shall remain in effect until further order of the Board.

It is so **ORDERED**.

DATED this 6th day of June, 2018.


Rachakonda D. Prabhu, M.D, President
Nevada State Board of Medical Examiners

NEVADA STATE BOARD
OF MEDICAL EXAMINERS
9600 Gateway Drive
Reno, Nevada 89521



CERTIFIED MAIL™



9171 9690 0935 0096 2298 32

Hasler

FIRST-CLASS MAIL

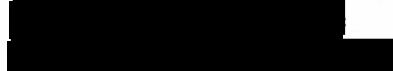
06/11/2018

US POSTAGE \$005.42⁰



ZIP 89502
011E11672023

Melissa Teresa Candrilli, RRT



91 DE 1

0007/01/18

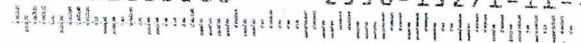
RETURN TO SENDER
UNCLAIMED
UNABLE TO FORWARD

UNC

BC: 89521895300

*2556-15271-11-40

~~89521895300~~



ALERT: PAYMENT TRANSACTIONS ON SOME APPLICATIONS WILL BE TEMPORARILY UNAVAILABLE FROM 11 PM CT, THURSDAY, ...

USPS Tracking®

FAQs > (<https://www.usps.com/faqs/uspstracking-faqs.htm>)

Track Another Package +

unclaimed

Tracking Number: 9171969009350096229832

Remove X

Your item has been delivered to the original sender at 10:50 am on July 2, 2018 in RENO, NV 89521.

☒ **Delivered**

July 2, 2018 at 10:50 am
Delivered, To Original Sender
RENO, NV 89521

NSBME

Return Receipt Electronic

Tracking History

Feedback

July 2, 2018, 10:50 am
Delivered, To Original Sender
RENO, NV 89521

Your item has been delivered to the original sender at 10:50 am on July 2, 2018 in RENO, NV 89521.

July 1, 2018, 9:07 pm
Departed USPS Regional Facility
RENO NV DISTRIBUTION CENTER

July 1, 2018, 4:45 pm
Arrived at USPS Regional Facility
RENO NV DISTRIBUTION CENTER

July 1, 2018, 1:18 am
Departed USPS Regional Facility
LAS VEGAS NV DISTRIBUTION CENTER

June 28, 2018, 6:01 pm
Unclaimed/Being Returned to Sender
NORTH LAS VEGAS, NV 89033

Reminder to Schedule Redelivery of your item

June 13, 2018, 11:53 am
Notice Left (No Authorized Recipient Available)
NORTH LAS VEGAS, NV 89081

NSBME0016

June 13, 2018, 7:42 am
Arrived at Unit
NORTH LAS VEGAS, NV 89031

June 12, 2018, 5:53 pm
Arrived at USPS Regional Facility
LAS VEGAS NV DISTRIBUTION CENTER

June 12, 2018
In Transit to Next Facility

June 11, 2018, 11:00 pm
Arrived at USPS Regional Origin Facility
RENO NV DISTRIBUTION CENTER

June 11, 2018, 7:46 pm
Departed Post Office
RENO, NV 89510

June 11, 2018, 6:51 pm
USPS picked up item
RENO, NV 89510

Feedback

Product Information

See Less ^

Can't find what you're looking for?

Go to our FAQs section to find answers to your tracking questions.

FAQs (<https://www.usps.com/faqs/uspstracking-faqs.htm>)

EXHIBIT 6

* * * * *

Licensee.

NSBME0018

33868

FAX COVER SHEET

26 JUNE 2019

PAGE 1 OF 2

ATTENTION: Kristi Stewart

Fax Number: [REDACTED]

FROM: Melissa Candrilli

Email: [REDACTED]

Contact Number: [REDACTED]

Subject: NBRC Credentials

Message: Good Morning, here is the NBRC Certification you requested. I really appreciate your time and effort as I am eagerly looking forward to the email of when I can renew my license. Please let me know if you need anything else from me and I say again, I really appreciate your time and efforts.

 practitionerportal.nbrc.org



MELISSA CANDRILLI

Earned Credentials

[View Purchase History](#)



CRT

Earned: 03/31/2008

Expires: 05/31/2023



RRT

Earned: 05/14/2013

Expires: 05/31/2023

Registry #: 135651

Eligible Exam(s)



EXHIBIT 7

NEVADA STATE BOARD OF MEDICAL EXAMINERS

9600 Gateway Drive
Reno, NV 89521

Rachakonda D. Prabhu, M.D.
Board President

Edward O. Cousineau, J.D.
Executive Director



March 8, 2019

**Via Certified Mail
Return Receipt Requested**

Melissa Teresa Candrilli, RRT
[REDACTED]

Melissa Teresa Candrilli, RRT
[REDACTED]

RE: BME CASE #: [REDACTED]

Dear Ms. Candrilli:

The Nevada State Board of Medical Examiners (Board) has received information regarding events occurring on or about January 21, 2019, where you allegedly reported to work at the Complex Care Hospital at Tenaya under the influence of alcohol. Additionally, since June 6, 2018, you may have been practicing respiratory care with a suspended license.

It is alleged:

1. On or about January 21, 2019, you reported to work at the Complex Care Hospital at Tenaya possibly under the influence of alcohol and you were requested to perform a breathalyzer test.
2. You are no longer employed at Complex Care Hospital at Tenaya as a respiratory therapist.
3. On June 6, 2018, your Respiratory Care license was suspended by the Board due to the expiration of your National Board for Respiratory Care (NBRC) certification.
4. On June 11, 2018, an Order for Suspension was mailed to your address on record which was returned to the Board as unclaimed.
5. The licensee must provide proof of the current NBRC certification to the Board as part of their licensure requirements.
6. Each licensee shall maintain a permanent mailing address with the Board to which all communications from the Board to the licensee must be sent. A licensee who changes his or her permanent mailing address shall notify the Board in writing of the new permanent mailing address within 30 days after the change.

Therefore, you may be in need of substance abuse treatment, you may have been practicing respiratory care with a suspended license since June 6, 2018, and you may have failed to maintain a permanent address on record with the Board.

Telephone 775-688-2559 • Fax 775-688-2321 • www.medboard.nv.gov • nsbme@medboard.nv.gov

According to these allegations, you may have violated the Nevada Medical Practice Act, Nevada Revised Statutes, Chapters 629 and 630, and Nevada Administrative Code, Chapters 629 and 630 (NMPA).

Please provide a response to the following questions:

1. Please indicate if you provided any respiratory care to patients on January 21, 2019, before you were requested to perform a breathalyzer test. If so, please indicate how many patients you provided respiratory care to.
2. Please indicate if you have **EVER** enrolled in a substance abuse treatment program. If so, please provide your dates of enrollment, the name(s) and location(s) of the treatment program(s).
3. Please provide a list of **ALL** of your places of employment since June 6, 2018, where you were required to possess an active Practitioner of Respiratory Care license as a condition of employment. Please include who your employer(s) were on June 6, 2018.

In order to determine whether or not there has been a violation of the NMPA, please provide a written response to each question noted above. Please include any further information you believe would be useful for the Board to make a determination in this matter.

Please reply to this request within 21 calendar days.


The Nevada State Board of Medical Examiners investigates all information received concerning possible violations of the NMPA. We make no determination as to whether or not there has been a violation of the NMPA until a thorough investigation is completed. As a physician under investigation by the Board, you are required by the NMPA to provide the requested information, and your cooperation is not subject to the whistle-blower protections provided to physicians in NRS 630.364(3).

Please be advised that if the particular allegations referenced above did occur, and depending on the facts and circumstances, then you may have violated the NMPA, specifically including but not limited to NRS 630.254(1); NRS 630.277; NRS 630.306(1)(a), (1)(h), (1)(j), (1)(p); NAC 630.530(1)(a); NAC 630.535; and NAC 630.540(9), (10), (14), (16).

Please note the Board's new Reno area mailing address:

Nevada State Board of Medical Examiners
9600 Gateway Drive
Reno, NV 89521

Respectfully,


Mollie Miller
Deputy Chief of Investigations



19-18575

March 14, 2019

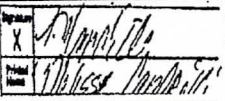

Dear mollie miller:

The following is in response to your request for proof of delivery on your item with the tracking number:
9171 9690 0935 0096 2913 41.

Item Details

Status:	Delivered, Left with Individual
Status Date / Time:	March 11, 2019, 1:36 pm
Location:	NORTH LAS VEGAS, NV 89084
Postal Product:	First-Class Mail®
Extra Services:	Certified Mail™
	Return Receipt Electronic

Recipient Signature

Signature of Recipient:	
Address of Recipient:	

Note: Scanned image may reflect a different destination address due to Intended Recipient's delivery instructions on file.

Thank you for selecting the United States Postal Service® for your mailing needs. If you require additional assistance, please contact your local Post Office™ or a Postal representative at 1-800-222-1811.

Sincerely,
United States Postal Service®
475 L'Enfant Plaza SW
Washington, D.C. 20260-0004

19-18575

USPS Tracking®

FAQs > (<https://www.usps.com/faqs/uspstracking-faqs.htm>)

Track Another Package +



Remove X

Tracking Number: 9171969009350096291341

Expected Delivery by

MONDAY

11 MARCH 2019 ⓘ by 8:00pm ⓘ

✓ Delivered

March 11, 2019 at 1:36 pm
Delivered, Left with Individual
NORTH LAS VEGAS, NV 89084

Get Updates ✓

Feedback

Text & Email Updates ✓

Return Receipt Electronic ✓

Tracking History ^

March 11, 2019, 1:36 pm
Delivered, Left with Individual
NORTH LAS VEGAS, NV 89084
Your item was delivered to an individual at the address at 1:36 pm on March 11, 2019 in NORTH LAS VEGAS, NV 89084.

March 11, 2019, 4:16 am
Departed USPS Regional Facility
LAS VEGAS NV DISTRIBUTION CENTER

March 10, 2019, 4:17 pm
Arrived at USPS Regional Facility
LAS VEGAS NV DISTRIBUTION CENTER

NEVADA STATE BOARD OF MEDICAL EXAMINERS

9600 Gateway Drive
Reno, NV 89521

Rachakonda D. Prabhu, M.D.
Board President

Edward O. Cousineau, J.D.
Executive Director



March 8, 2019

**Via Certified Mail
Return Receipt Requested**

Melissa Teresa Candrilli, RRT

Melissa Teresa Candrilli, RRT

✓ [Redacted]
N [Redacted]

9171 9690 0935 0096 2913 58

RE: BME CASE #: 19-18575

Dear Ms. Candrilli:

The Nevada State Board of Medical Examiners (Board) has received information regarding events occurring on or about January 21, 2019, where you allegedly reported to work at the Complex Care Hospital at Tenaya under the influence of alcohol. Additionally, since June 6, 2018, you may have been practicing respiratory care with a suspended license.

It is alleged:

1. On or about January 21, 2019, you reported to work at the Complex Care Hospital at Tenaya possibly under the influence of alcohol and you were requested to perform a breathalyzer test.
2. You are no longer employed at Complex Care Hospital at Tenaya as a respiratory therapist.
3. On June 6, 2018, your Respiratory Care license was suspended by the Board due to the expiration of your National Board for Respiratory Care (NBRC) certification.
4. On June 11, 2018, an Order for Suspension was mailed to your address on record which was returned to the Board as unclaimed.
5. The licensee must provide proof of the current NBRC certification to the Board as part of their licensure requirements.
6. Each licensee shall maintain a permanent mailing address with the Board to which all communications from the Board to the licensee must be sent. A licensee who changes his or her permanent mailing address shall notify the Board in writing of the new permanent mailing address within 30 days after the change.

Therefore, you may be in need of substance abuse treatment, you may have been practicing respiratory care with a suspended license since June 6, 2018, and you may have failed to maintain a permanent address on record with the Board.

Telephone 775-688-2559 • Fax 775-688-2321 • www.medboard.nv.gov • nsbme@medboard.nv.gov

According to these allegations, you may have violated the Nevada Medical Practice Act, Nevada Revised Statutes, Chapters 629 and 630, and Nevada Administrative Code, Chapters 629 and 630 (NMPA).

Please provide a response to the following questions:

1. Please indicate if you provided any respiratory care to patients on January 21, 2019, before you were requested to perform a breathalyzer test. If so, please indicate how many patients you provided respiratory care to.
2. Please indicate if you have **EVER** enrolled in a substance abuse treatment program. If so, please provide your dates of enrollment, the name(s) and location(s) of the treatment program(s).
3. Please provide a list of **ALL** of your places of employment since June 6, 2018, where you were required to possess an active Practitioner of Respiratory Care license as a condition of employment. Please include who your employer(s) were on June 6, 2018.

In order to determine whether or not there has been a violation of the NMPA, please provide a written response to each question noted above. Please include any further information you believe would be useful for the Board to make a determination in this matter.

Please reply to this request within 21 calendar days.


The Nevada State Board of Medical Examiners investigates all information received concerning possible violations of the NMPA. We make no determination as to whether or not there has been a violation of the NMPA until a thorough investigation is completed. As a physician under investigation by the Board, you are required by the NMPA to provide the requested information, and your cooperation is not subject to the whistle-blower protections provided to physicians in NRS 630.364(3).

Please be advised that if the particular allegations referenced above did occur, and depending on the facts and circumstances, then you may have violated the NMPA, specifically including but not limited to NRS 630.254(1); NRS 630.277; NRS 630.306(1)(a), (1)(h), (1)(j), (1)(p); NAC 630.530(1)(a); NAC 630.535; and NAC 630.540(9), (10), (14), (16).

Please note the Board's new Reno area mailing address:

Nevada State Board of Medical Examiners
9600 Gateway Drive
Reno, NV 89521

Respectfully,


Mollie Miller
Deputy Chief of Investigations



19-18575

March 14, 2019

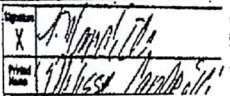

Dear mollie miller:

The following is in response to your request for proof of delivery on your item with the tracking number:
9171 9690 0935 0096 2913 58.

Item Details

Status:	Delivered, Left with Individual
Status Date / Time:	March 11, 2019, 1:36 pm
Location:	NORTH LAS VEGAS, NV 89084
Postal Product:	First-Class Mail®
Extra Services:	Certified Mail™
	Return Receipt Electronic

Recipient Signature

Signature of Recipient:	
Address of Recipient:	

Note: Scanned image may reflect a different destination address due to Intended Recipient's delivery instructions on file.

Thank you for selecting the United States Postal Service® for your mailing needs. If you require additional assistance, please contact your local Post Office™ or a Postal representative at 1-800-222-1811.

Sincerely,
United States Postal Service®
475 L'Enfant Plaza SW
Washington, D.C. 20260-0004

19-18575

USPS Tracking®

FAQs > (<https://www.usps.com/faqs/uspstracking-faqs.htm>)

Track Another Package +



Tracking Number: 9171969009350096291358

Remove X

Expected Delivery by

MONDAY

11 MARCH 2019 by 8:00pm

✓ Delivered

March 11, 2019 at 1:36 pm
Delivered, Left with Individual
NORTH LAS VEGAS, NV 89084

Get Updates ✓

Feedback

Text & Email Updates ✓

Return Receipt Electronic ✓

Tracking History ^

March 11, 2019, 1:36 pm
Delivered, Left with Individual
NORTH LAS VEGAS, NV 89084
Your item was delivered to an individual at the address at 1:36 pm on March 11, 2019 in NORTH LAS VEGAS, NV 89084.

March 11, 2019, 3:31 am
Departed USPS Regional Facility
LAS VEGAS NV DISTRIBUTION CENTER

March 9, 2019, 3:21 pm
Arrived at USPS Regional Facility
LAS VEGAS NV DISTRIBUTION CENTER

EXHIBIT 8

NEVADA STATE BOARD OF MEDICAL EXAMINERS

9600 Gateway Drive
Reno, NV 89521

Rachakonda D. Prabhu, M.D.
Board President

Edward O. Cousineau, J.D.
Executive Director



Second Request

April 9, 2019

**Via Certified Mail
Return Receipt Requested**

Melissa Teresa Candrilli, RRT

✓ Melissa Teresa Candrilli, RRT

9171 9690 0935 0096 3170 72

RE: BME CASE #: 19-18575

Dear Ms. Candrilli:

This is the **second request** for your reply. Please provide the requested reply to the allegations. Enclosed, please find an Order to Produce Response. Failure to comply with an Order of the Board constitutes grounds for initiating disciplinary action. See NRS 630.3065. **Please reply to this request within 15 days.**

Providing the requested information is deemed a professional obligation of any physician under investigation by the Board and shall not be deemed to be cooperation subject to the whistle-blower protections provided to physicians in NRS 630.364(3).

Enclosed is a copy of the original letter sent to you on March 8, 2019.

Should you have any questions you may contact me at 775-324-9371.

Respectfully,

Mollie Miller
Deputy Chief of Investigations
Nevada State Board of Medical Examiners

5/1/19 - rec'd letter returned to sender by USPS

7/3/19 - revised letter mailed

NEVADA STATE BOARD OF MEDICAL EXAMINERS

9600 Gateway Drive
Reno, NV 89521

Rachakonda D. Prabhu, M.D.
Board President

Edward O. Cousineau, J.D.
Executive Director



Second Request

April 9, 2019

Via Certified Mail
Return Receipt Requested

✓/Melissa Teresa Candrilli, RRT
[REDACTED]

Melissa Teresa Candrilli, RRT
[REDACTED]

9171 9690 0935 0096 3170 65

RE: BME CASE #: 19-18575

Dear Ms. Candrilli:

This is the **second request** for your reply. Please provide the requested reply to the allegations. Enclosed, please find an Order to Produce Response. Failure to comply with an Order of the Board constitutes grounds for initiating disciplinary action. See NRS 630.3065. **Please reply to this request within 15 days.**

Providing the requested information is deemed a professional obligation of any physician under investigation by the Board and shall not be deemed to be cooperation subject to the whistle-blower protections provided to physicians in NRS 630.364(3).

Enclosed is a copy of the original letter sent to you on March 8, 2019.

Should you have any questions you may contact me at 775-324-9371.

Respectfully,
[REDACTED]

Mollie Miller
Deputy Chief of Investigations
Nevada State Board of Medical Examiners

Telephone 775-688-2559 • Fax 775-688-2321 • www.medboard.nv.gov • nsbme@medboard.nv.gov

NEVADA STATE BOARD
MEDICAL EXAMINERS
9600 Gateway Drive
Reno, Nevada 89521

2nd Request letter

PRIVATE & CONFIDENTIAL
To be opened by licensee only.

**ELECTRONIC RETURN
RECEIPT REQUESTED**

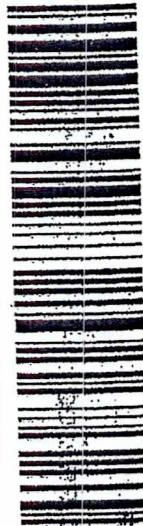
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MAY 02 2019

NEVADA STATE BOARD OF
MEDICAL EXAMINERS

Melissa Teresa Candrilli, RRT

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CERTIFIED MAIL™



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**SECOND
REQUEST**

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*2941-11668-09-40

ENCLOSURE

EXHIBIT 9

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In the Matter of the Investigation of:)
)
) Case No. 19-18575
Melissa Teresa Candrilli, RRT)
)
 License No. RC1511)
)

The Investigative Committee (IC) of the Board of Medical Examiners of the State of Nevada sends greetings to:

1. Response to Nevada State Board of Medical Examiners' letter dated March 8, 2019.

///

///

Additionally, compliance with this order is deemed compulsory and shall not be deemed to be cooperation subject to the protections provided to a physician pursuant to NRS 630.364(3).

Dated this 9th day of April, 2019.

NEVADA STATE BOARD OF MEDICAL EXAMINERS
INVESTIGATIVE COMMITTEE

Rachakonda D. Prabhu, M.D., Chairman
Nevada State Board of Medical Examiners
Investigative Committee

EXHIBIT 10

NEVADA STATE BOARD OF MEDICAL EXAMINERS

9600 Gateway Drive
Reno, NV 89521

Rachakonda D. Prabhu, M.D.
Board President

Edward O. Cousineau, J.D.
Executive Director



July 3, 2019

**Via Certified Mail
Return Receipt Requested**

Melissa Teresa Candrilli, RRT
[REDACTED]

RE: BME CASE #: 19-18575 - Revised

Dear Ms. Candrilli:

The Nevada State Board of Medical Examiners (Board) has received information regarding events occurring on or about January 21, 2019, where you allegedly reported to work at the Complex Care Hospital at Tenaya under the influence of alcohol. Additionally, from June 6, 2018 through June 26, 2019, you may have been practicing respiratory care with a suspended license.

The Board is also in receipt of your 2019 Practitioner of Respiratory Care application for renewal. On your renewal application you reported your Board license was suspended for your failure to provide proof of your current certification by the National Board for Respiratory Care (NBRC); however, you failed to report being under investigation by Complex Care Hospital at Tenaya for allegations of being under the influence of alcohol during work hours.

It is alleged:

1. On or about January 21, 2019, you reported to work at the Complex Care Hospital at Tenaya possibly under the influence of alcohol and you were requested to, and submitted to, a breathalyzer test.
2. On or about January 25, 2019, you were notified by Complex Care Hospital at Tenaya that you were suspended from your duties as Respiratory Therapist, PRN, pending the results of an investigation of allegations of being under the influence of alcohol during work hours.
3. You are no longer employed at Complex Care Hospital at Tenaya as a respiratory therapist.
4. On June 6, 2018, your Respiratory Care license was suspended by the Board due to the expiration of your NBRC certification.
5. On June 11, 2018, an Order of Suspension was mailed to your address on record which was returned to the Board as 'unclaimed'.
6. On July 3, 2018, the Board's Order of Suspension was emailed to your email address on record
[REDACTED]

Telephone 775-688-2559 • Fax 775-688-2321 • www.medboard.nv.gov • nsbme@medboard.nv.gov

7. The licensee must provide proof of the current NBRC certification to the Board as part of their licensure requirements.
8. Each licensee shall maintain a permanent mailing address with the Board to which all communications from the Board to the licensee must be sent. A licensee who changes his or her permanent mailing address shall notify the Board in writing of the new permanent mailing address within 30 days after the change.
9. Board correspondence mailed to your address on record has been returned to the Board as 'unclaimed'.
10. You failed to report on your 2019 Board renewal application that during the time period July 1, 2017 – July 1, 2019, or since your last renewal, you had been under investigation by Complex Care Hospital at Tenaya for allegations of being under the influence of alcohol during work hours.

Therefore, you may be in need of substance abuse treatment, you may have been practicing respiratory care with a suspended license from June 6, 2018 through June 26, 2019, you may have failed to maintain a permanent address on record with the Board, and you may have renewed your Board license to practice respiratory care by fraud or misrepresentation or by a false, misleading, inaccurate or incomplete statement.

According to these allegations, you may have violated the Nevada Medical Practice Act, Nevada Revised Statutes, Chapters 629 and 630, and Nevada Administrative Code, Chapters 629 and 630 (NMPA).

Please provide a response to the following additional questions:

1. Please indicate if you provided any respiratory care to patients on January 21, 2019, before you were requested to perform a breathalyzer test. If so, please indicate how many patients you provided respiratory care to.
2. Please indicate if you have **EVER** enrolled in a substance abuse treatment program. If so, please provide your dates of enrollment, the name(s) and location(s) of the treatment program(s).
3. Please provide a list of **ALL** of your places of employment since June 6, 2018, where you were required to possess an active Practitioner of Respiratory Care license as a condition of employment. Please include who your employer(s) were on June 6, 2018.

In order to determine whether or not there has been a violation of the NMPA, **please provide a written response to each allegation and question noted above. Please include any further information you believe would be useful for the Board to make a determination in this matter.**

Please reply to this request within 21 calendar days.

The Nevada State Board of Medical Examiners investigates all information received concerning possible violations of the NMPA. We make no determination as to whether or not there has been a violation of the NMPA until a thorough investigation is completed. As a physician under investigation by the Board, you are required by the NMPA to provide the requested information, and your cooperation is not subject to the whistle-blower protections provided to physicians in NRS 630.364(3).

Please be advised that if the particular allegations referenced above did occur, and depending on the facts and circumstances, then you may have violated the NMPA, specifically including but not limited to NRS 630.254(1); NRS 630.277; NRS 630.304(1); NRS 630.306(1)(a), (1)(h), (1)(j), (1)(p); NAC 630.530(1)(a); NAC 630.535; and NAC 630.540(1), (2), (4), (9), (10), (14), (16), (23).

Respectfully,



Mollie Miller
Deputy Chief of Investigations

EXHIBIT 11

NEVADA STATE BOARD OF MEDICAL EXAMINERS

9600 Gateway Drive
Reno, NV 89521

Rachakonda D. Prabhu, M.D.
Board President

Edward O. Cousineau, J.D.
Executive Director



Hand Delivery
July 26, 2019

Final Request

Melissa Teresa Candrilli, RRT
[REDACTED]

RE: BME CASE #: 19-18575

Dear Ms. Candrilli:

This is the **Final Request** for your reply regarding this investigation. Please provide the requested reply to the allegations. A second Order to Produce Response has also been included.

Please reply to this Order to Produce Response within 10 days.

Failure to comply with an Order of the Board constitutes grounds for initiating disciplinary action or denial of licensure. (NRS 630.3065)

Providing the requested information is deemed a professional obligation of any physician/licensee under investigation by the Board and shall not be deemed to be cooperation subject to the whistleblower protections provided to physicians/licensee in NRS 630.364(3).

Enclosed please find the Board's July 3, 2019, letter and Order to Produce Response which was mailed to you at your address on record with the Board via certified mail by the United States Postal Service. USPS has reported the item as unclaimed. I would like to remind you of your statutory duty to "maintain a permanent mailing address with the Board to which all communications from the Board to the licensee must be sent." Failure to do so may result in a disciplinary action or denial of licensure. (NRS 630.254; 630.306)

Should you have any questions you may contact me at 775-324-9371.

Respectfully,

A handwritten signature in black ink, appearing to read "Mollie Miller", is written over a horizontal line.

Mollie Miller
Deputy Chief of Investigations

Telephone 775-688-2559 • Fax 775-688-2321 • www.medboard.nv.gov • nsbme@medboard.nv.gov

Additionally, compliance with this order is deemed compulsory and shall not be deemed to be cooperation subject to the protections provided to a physician pursuant to NRS 630.364(3).

Dated this 26th day of July, 2019.

NEVADA STATE BOARD OF MEDICAL EXAMINERS
INVESTIGATIVE COMMITTEE

Rachakonda D. Prabhu, M.D., Chairman
Nevada State Board of Medical Examiners
Investigative Committee

EXHIBIT 12

Nevada State Board of Medical Examiners

Affidavit of Service

I, Don Andreas, Sr. Investigator, Las Vegas Office for the Nevada State Board of Medical Examiners, received the following documents on July 26, 2019 for personal service on Melissa Candrilli, RRT, Case No: 19-18575

1. _____ Complaint and Notice of Hearing and Pre Hearing
2. _____ Complaint and Request for Summary Suspension
3. X Order to Produce Response, Final Request & Allegation Letter
4. _____ Other _____

I was able to serve process by hand delivering copies of the above documents to Melissa Candrilli, RRT at _____ on July 26, 2019.
Present with me was Sr. Investigator Kim Friedman.

Signed this 26th day of July, 2019.
Under Penalty of Perjury:

COUNTY OF CLARK
STATE OF NEVADA

SUBSCRIBED and SWORN to before me
This 26th day of July, 2019

Notary Public

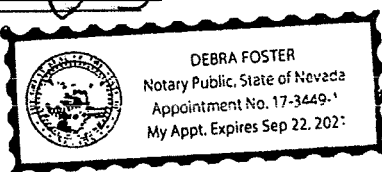


EXHIBIT 13

FAX

6935 Allante Pkwy, Suite 104
North Las Vegas, NV 89084
702.395.0114 Tel
702.395.1524 Fax
store5580@theupstore.com
theupstorelocal.com/5580

RECEIVED

AUG 05 2019

NEVADA STATE BOARD OF
MEDICAL EXAMINERS

TO: Mollie Miller FAX: 775 688 2553
ATTENTION: Mollie Miller PAGES (INCLUDING COVER): 4
FROM: Melissa Candrilli DATE: 5 Aug 2019

COMMENTS:

Case #
19-18575



To:

STATE OF NEVADA
Nevada State Board of Medical Examiners

MOLLIE MILLER, CMBI
Deputy Chief of Investigations

1105 Terminal Way, Suite 301
Reno, Nevada 89502-2144

Telephone: (775) 324-9371
In-state: (898) 890-8210
Fax: (775) 688-2553

E-mail: mtmiller@medboard.nv.gov
Website: www.mecboard.nv.gov

TO WHOM IT MAY CONCERN:

I Melissa Candrilli was informed of accusations as to why I was suspended from my duties at Complex Care Hospital on approximately January 21, 2019. During that time I was informed to "self-report" after my suspension from Complex Care Hospital because of the circumstances that transpired to Nevada Board of Medical Examiners.

I Melissa Candrilli contacted the Nevada Board of Medical Examiners and upon doing so I was informed that there was not an investigation in regards to being released from Complex Care Hospital. A short time afterwards I proceeded to renew my license and was successful in doing so.

I was suspended/released from Complex Care Hospital for being disoriented and showing symptoms of being under the influence of medication and/or alcohol. To that response I will state that I went from dayshift to nightshift and mistook my prescribed medication causing me to feel a little sick early into my shift. I took my prescribed medication too close together which won't happen again. In regards to the breathalyzer test, I submitted to the breathalyzer test because I had nothing to hide, but shortly after doing so I was informed Complex Care Hospital deemed me intoxicated.

In order to adjust my medication dosages, and to honor the request of Complex Care Hospital recommendation, I enrolled into the VA Hospital, located in North Las Vegas, mental health /rehabilitation program in order to get an accurate assessment on my overall mental health and proper dosage of medication. I possess the documentation of the completion of the treatment program and will gladly attach such documentation.

I Melissa Candrilli, in response to not responding or acknowledging any previous letters mailed to me under the "Order of Suspension", will inform you that I did NOT receive any letters/mail pertaining to that or any other subject matter from Nevada State Medical Board or Complex Care Hospital. Earlier this year I moved to another address after selling my home and I took the appropriate steps to complete the "forward/change of address card" through the U.S. Postal Service. I personally do not know why any mail was returned as unclaimed when I received all other mail. I again took all the steps through the U.S. Postal Service to avoid instances such as this from happening.

Being a Respiratory Therapist has been a career and passion for me, Melissa Candrilli, for many years. I consider this career an honor and a blessing to help and serve. Please, if you have any further questions for me or need any additional information please feel free to contact me.

Melissa Candrilli

Sincerely, Melissa Candrilli

[REDACTED]

[REDACTED]

NEVADA STATE BOARD OF MEDICAL EXAMINERS

9600 Gateway Drive
Reno, NV 89521

Rachakonda D. Prabhu, M.D.
Board President

Edward O. Cousineau, J.D.
Executive Director



July 3, 2019

Via Certified Mail
Return Receipt Requested

Melissa Teresa Candrilli, RRT
[REDACTED]

RE: BME CASE #: 19-18575 - Revised

Dear Ms. Candrilli:

The Nevada State Board of Medical Examiners (Board) has received information regarding events occurring on or about January 21, 2019, where you allegedly reported to work at the Complex Care Hospital at Tenaya under the influence of alcohol. Additionally, from June 6, 2018 through June 26, 2019, you may have been practicing respiratory care with a suspended license.

The Board is also in receipt of your 2019 Practitioner of Respiratory Care application for renewal. On your renewal application you reported your Board license was suspended for your failure to provide proof of your current certification by the National Board for Respiratory Care (NBRC); however, you failed to report being under investigation by Complex Care Hospital at Tenaya for allegations of being under the influence of alcohol during work hours.

It is alleged:

1. On or about January 21, 2019, you reported to work at the Complex Care Hospital at Tenaya possibly under the influence of alcohol and you were requested to, and submitted to, a breathalyzer test.
2. On or about January 25, 2019, you were notified by Complex Care Hospital at Tenaya that you were suspended from your duties as Respiratory Therapist, PRN, pending the results of an investigation of allegations of being under the influence of alcohol during work hours.
3. You are no longer employed at Complex Care Hospital at Tenaya as a respiratory therapist.
4. On June 6, 2018, your Respiratory Care license was suspended by the Board due to the expiration of your NBRC certification.
5. On June 11, 2018, an Order of Suspension was mailed to your address on record which was returned to the Board as 'unclaimed'.
6. On July 3, 2018, the Board's Order of Suspension was emailed to your email address on record
[REDACTED]

Telephone 775-688-2559 • Fax 775-688-2321 • www.medboard.nv.gov • nsbme@medboard.nv.gov

FAX

THE UPS STORE

6935 Allante Pkwy, Suite 104
North Las Vegas, NV 89084
702.395.0114 Tel
702.395.1524 Fax
store5580@theupstore.com
theupstorelocal.com/5580

RECEIVED

AUG 06 2019

NEVADA STATE BOARD OF
MEDICAL EXAMINERS

TO: Mollie Miller FAX: 775 688 2553
ATTENTION: Mollie Miller PAGES (INCLUDING COVER): 4
FROM: Melissa Candrilli DATE: 5 Aug 2019

COMMENTS:

Case #
19-18575



To:

STATE OF NEVADA
Nevada State Board of Medical Examiners

MOLLIE MILLER, CMBI
Deputy Chief of Investigations

1105 Terminal Way, Suite 301
Reno, Nevada 89502-2144

E-mail: mtmiller@medboard.nv.gov
Website: www.medboard.nv.gov

Telephone: (775) 324-9371
In-state: (888) 890-8210
Fax: (775) 688-2553

Aug. 6, 2019
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Mental Health Suite - Treatment Plan for
CANDRILLI, MELISSA T (592526287)

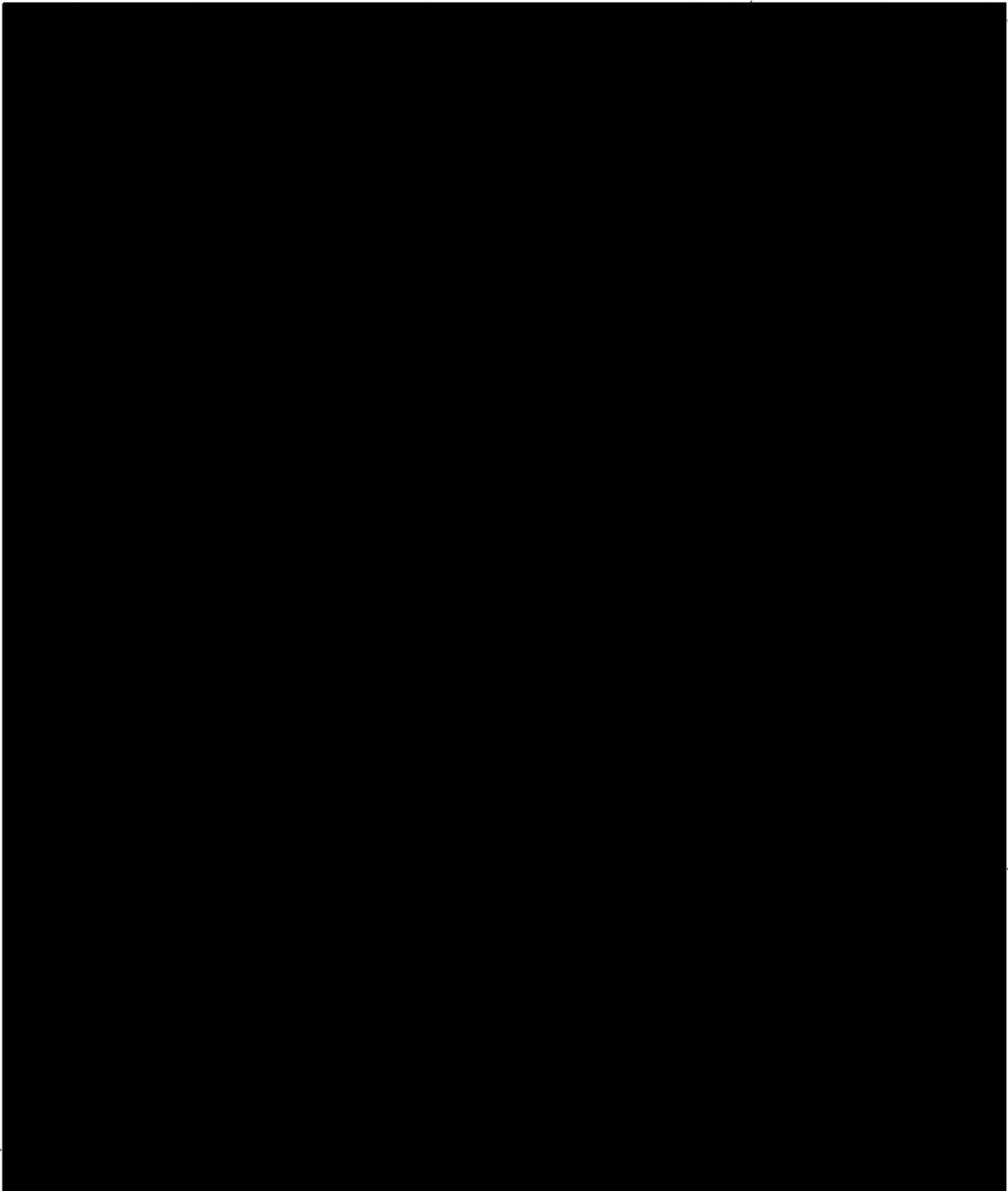


EXHIBIT 14

VIEW/EDIT APPLICATION

Last Updated: 12/05/2018 @ 10:30 AM (By: Imelda Lopez)

Melissa T Candrilli

Job	Respiratory Tech-RRT		
Applied	9/07/2018 @ 5:41 AM <input checked="" type="radio"/> Passed Questions		
Name	Melissa	T	Candrilli
Address	[Redacted]		
	[Redacted]	NV	[Redacted]
Referral	Indeed One <input checked="" type="checkbox"/>		
Resume	Melissa_Candrilli_Resume.pdf		
Location	Complex Care Hospital at Tenaya		
Status	Interviewing <input checked="" type="checkbox"/>		
Email	[Redacted]		
Phone	[Redacted]		
Desired Pay	35.00 Per Hour		
Date Avail	9/06/2018		
Employment			
Overtime	Yes		
Desired Shift	Day		
Desired Days	Mon, Tue, Wed, Thu, Fri, Sat, Sun		

Job application

General Information

Are you are at least 18 years of age or older? **Yes**

Do you have legal right to work in the United States? **Yes**

Are you currently on a leave of absence from another employer? **No**

Has LifeCare or any of its subsidiaries ever employed you? **No**

Do you have any relatives employed by LifeCare? **No**

Are you a United States Veteran? **Yes**

United States Veteran Information: Honorable/ July 25, 1995

Have you ever been convicted or plead guilty or no contest to any criminal offense other than a minor traffic violation? **No**

Have you ever been convicted of a criminal offense related to health care or listed by a federal agency as debarred, excluded or otherwise ineligible for participation in federal health care programs? **No**

Education

School	Citrus High school	Location	Inverness, Florida
Type	High School / GED	Years Completed	4
		Graduated	Yes - Have Diploma
School	Pima Medical Institute	Location	Las Vegas, Nevada
Type	College / University	Years Attended	2
Standing		Graduated	Yes
Subject/Degree	Respiratory Therapy		
School	Ashford University	Location	San Diego, California

Job Board Administration

Page 2 of 3

Type	Graduate School	Years Attended	2
Standing		Graduated	No
Subject/Degree	Behavioral Health		

Employment

Employer Sunrise Medical Center
Address 3186 South Maryland Pkwy Las Vegas, NV 89109
Phone 702-961-5000
Job Title Respiratory Therapist
Employment Dates 6/2016 to 7/2018
Duties Performed ER, Trauma, Critical Care, Peds ER
Reason For Leaving
Starting Salary 38.00 Per Hour **Ending Salary** 42.00 Per Hour
Supervisor Name Nick Pinos
May We Contact Yes

Employer Veteran Affairs Medical Center
Address North Las Vegas, NV 89081
Phone 702-91-9000
Job Title Respiratory Therapist
Employment Dates 1/2009 to 7/2016
Duties Performed Acting Supervisor, ER, Critical Care, Intubation
Reason For Leaving
Starting Salary 21.00 Per Hour **Ending Salary** 25.00 Per Hour
Supervisor Name Jermaine Foster
May We Contact Yes

Employer Summerlin Medical Center
Address 657 N Town Center Dr Las Vegas, NV 89144
Phone 702-233-7000
Job Title Respiratory Therapist
Employment Dates 6/2014 to 9/2016
Duties Performed ER, Critical Care, Rehab
Reason For Leaving
Starting Salary 32.00 Per Hour **Ending Salary** 35.00 Per Hour
Supervisor Name Jeff Gahn
May We Contact Yes

Years of experience in relation to job 10 years of experience

Have you ever been discharged? Yes
 Honorable

Certification/License

Licensed As	Number and State Issued	Expires and Status
Registered Respiratory Therapist	RC1511 Nevada	06/30/2019
Restrictions or limitations on your license?		No

References

	Name	Address	Phone	Title/Occupation	Years Known
1.	Nick Pinos	3186 S. Maryland Pkwy	1-718-664-0573	Supervisor Respirator Therapist	3
2.	Bonnie Keeler	3186 S. Maryland Pkwy	702-883-6446	Registered Respiratory Therapist	10
3.	Tessa Virga	3186 S. Maryland pkwy	702-263-66969	Supervisor Respiratory Therapist	2

Qualifying Questions Answers • Passed

Question	Answer	Incorrect Answer?
Do you have the relevant experience and education that the position minimally requires?	Yes	

Electronic Signature**READ CAREFULLY BEFORE SIGNING THE APPLICATION FOR EMPLOYMENT**

1. I certify that the answers given by me to the foregoing questions and statements on the employment application and or during the employment interview process are true and correct without any material omissions of any kind whatsoever. I understand that any omission, misleading, or incorrect statements may render this application void and, if employed, would be cause for my termination. I further agree that LifeCare Hospitals shall not be liable in any respect if my employment is terminated because of falsity of statements, answers or omissions made by me in this application.
2. I authorize the companies, schools, persons or entities given during the employment process or on this employment application as references or past employers or affiliations to give any information regarding my employment, character, qualifications, certifications and licenses and hereby release said companies, schools, persons or entities from all liability for any damage for issuing this information.
3. I understand that I may be required to have a medical examination and/or drug and alcohol test after an offer of employment. A favorable result on the medical examination and/or drug and alcohol test shall be a condition of my employment or commencement of any employment duties.
4. I understand that my employment is not for a specified or definite term and that I may resign, or I may be discharged, at any time with or without prior notice. I further understand that this policy cannot be changed or amended except by written agreement signed by me and by a corporate officer.
5. My employment shall be in accordance with the terms of this application, all safety and incident reporting rules, all health care industry compliance program requirements, including adherence to the established Code of Conduct, and all other LifeCare Hospitals rules, regulations, policies and procedures currently or hereafter in effect.
6. I understand if the position for which I am applying requires licenses and/or certifications, it is my responsibility and a requirement for continued employment to maintain valid licenses and/or certifications.

Signature MTC

Date Signed 9/07/2018



NEVADA STATE BOARD OF MEDICAL EXAMINERS

Search

Licensee Details

Person Information		License Information	
Name:	Melissa Teresa CANDRILLI	License Type:	Practitioner of Respiratory Care
Address:	[REDACTED]	License Number:	RC1511
Phone:	[REDACTED]	Status:	Suspended- NBRC Cert. Expired
		Issue Date:	5/28/2008
		Expiration Date:	6/30/2019

Scope of Practice

Scope of Practice: Respiratory Care
Scope of Practice: Emergency / Critical Care / Trauma
Scope of Practice: Flight Medicine

Education & Training

School:	Citrus High School / Inverness , FL
Degree\Certificate:	High School Diploma
Date Enrolled:	
Date Graduated:	6/8/1990
Scope of Practice:	
School:	Pima Medical Institute / Las Vegas , NV
Degree\Certificate:	Practitioner of Respiratory Care Degree
Date Enrolled:	1/30/2006
Date Graduated:	3/14/2008
Scope of Practice:	



January 8, 2019

Melissa Candrilli
[REDACTED]

Dear Melissa:

It is our pleasure to offer you a position with Complex Care Hospital at Tenaya contingent upon a successful background check and drug screening. Complex Care Hospital at Tenaya is a leader in the post-acute care business because of the quality of our employees. We look forward to working with you as we create compassionate care experiences and accelerate healing, restore health and improve life. The details of your offer are summarized below:

Position Title: Respiratory Therapist, PRN
Reporting To: Lloyd Nelson, Director of Respiratory
Start Date: To be determined, but no later than January 8, 2019
Base Salary: \$34.00 per hour

1. Performance and Salary Review

Performance reviews are conducted annually. You will also receive a 90 day appraisal.

2. PRN Status

As a part of the PRN pool, your employment is based on working to fill the needs of the facility. It is your responsibility to maintain the work requirements and stay in regular contact with the department or scheduling manager. Hours are not guaranteed and there may be times you will be called to work hours that you have not scheduled. You will have the option to decline an assignment that has not been previously scheduled. PRN employees:

- Are defined as those working on an "as needed" basis for less than 30 hours per week.
- Are eligible for shift, weekend and holiday differentials.
- Not working any hours within 90 days will be automatically separated and will need to reapply for a position.
- Are typically required to stay within their position for 90 days. Exceptions for PRN employees wanting to transfer to full or part-time status will be made on a case by case basis providing the employee is in good standing.

3. Voluntary Benefits

LifeCare offers voluntary benefits for PRN employees including hospital confinement, group accident, critical illness and short-term disability through Colonial Life. LifeCare also offers auto/home and pet insurance through MetLife.

You have 30 days from your date of hire to enroll in the Colonial Life voluntary benefits. You can enroll in auto/home and pet insurance at any time during the year. Additional information will be provided on your first day.

4. Paid Time Off

As a PRN employee, you are not eligible for PTO benefits. Should you change to full or part-time status, you will become eligible for PTO.

5. Tobacco-Free Policy

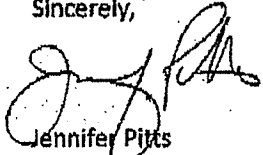
Because your wellness is important to us, Complex Care Hospital at Tenaya and surrounding property are tobacco-free.

Note: The policies and benefits that have been voluntarily adopted by LifeCare Health Partners may be changed from time to time, with or without notice, and do not create any contractual rights or obligations, nor do they create a contract of employment for any specific term. The actual provisions of each benefit plan or insurance policy will govern in the event of any federal, state, or local laws.

LifeCare Health Partners values its employees and looks forward to a mutually satisfactory employment relationship. It is understood, however, that you are an employee-at-will and that neither you nor LifeCare Health Partners is obligated to continue the employment relationship if either does not wish to do so.

Please return a signed copy of this letter to my attention. Welcome to the team!

Sincerely,



Jennifer Pitts
HR Business Partner
Complex Care Hospital

I understand and accept the terms of employment set forth above.

Signature: _____

Melissa Candrilli

Date: _____

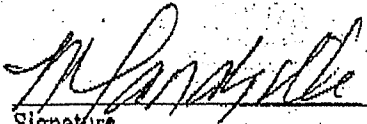
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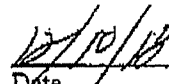
Acceptance of
employment



Drug-Free Workplace Policy Acknowledgement

I, _____, acknowledge I have received the Drug-Free Workplace Policy and understand that the purpose of this Policy is to maintain a safe, drug and alcohol-free environment for all employees and a safe treatment environment for patients. I understand as a condition of potential employment or as a condition of continued employment, I must agree to abide by this Policy. I also understand that all test results will be handled on a confidential basis and, when appropriate, will be available only to personnel who have a need to know such results.


Signature


Date

Title:	Drug Free Workplace-LTACH, BHH, TCC	Department:	Human Resources
--------	--	-------------	-----------------

LIFECARE
HOSPITALS

COMPLEX CARE
HOSPITALS

TAHOE PACIFIC
HOSPITALS

Colorado Acute
Hospital

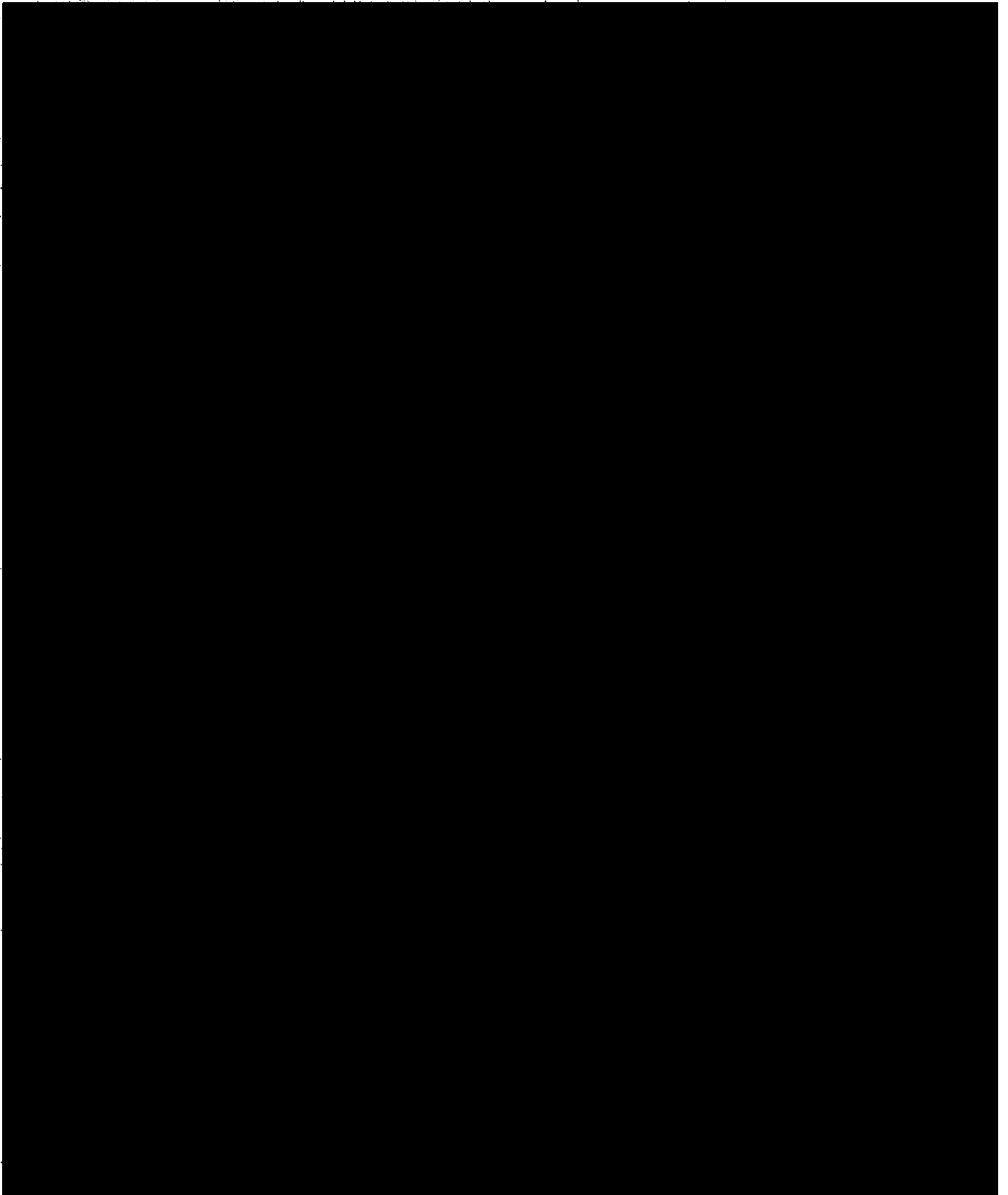
**FITNESS FOR DUTY/
REASONABLE SUSPICION TESTING CHECKLIST**

Employee Name: Melissa Candrelli
 Department: Respiratory Time: 1715 Date: 1-21-19
 Supervisor: Lloyd Nelson Witness: _____

The following checklist is to be completed by the supervisor involved to help determine whether an employee will be tested for impairment due to suspicion they are under the influence of a substance(s). This section must be completed prior to requesting that an employee submit to a drug/alcohol test; however, remove the employee from the work area while you investigate and do not leave him/her unsupervised especially if the employee may be in need of medical assistance.

Behavior (outside norm for that employee)		Odor	
	Alternate period of high and low productivity	<input checked="" type="checkbox"/>	Distinctive odor of intoxicant on breath
	Disappearance from work area		Distinctive odor on clothing or about person
	Difficulty performing ordinary tasks		Mints, gum, mouth wash or breath spray
	More time needed to complete job		
	Boisterous	Speech	
<input checked="" type="checkbox"/>	Easily agitated		Slurred
<input checked="" type="checkbox"/>	Erratic and disjointed actions	<input checked="" type="checkbox"/>	Unusually loud
	Sleeping on duty		Hesitant
<input checked="" type="checkbox"/>	Hostile, crying, talkative		Unusually fast
	Increased Errors		Unusually slow
	References to or "jokes" about misuse of substances		Incoherent
Physical Appearance		Eyes	
<input checked="" type="checkbox"/>	Lethargic, sleepy		Red
	Hyperactive		Watery
	Tense, unduly nervous		Heavy eyelids
<input checked="" type="checkbox"/>	Poor coordination		Pupils constricted
	Drooling		Pupils dilated
<input checked="" type="checkbox"/>	Dramatic change in physical appearance		
	Flushed red face	Confusion	
Gait			Difficulty in recalling instructions, details, etc.
<input checked="" type="checkbox"/>	Unsteady		Difficulty in recalling mistakes
	Deliberate or over-careful		Difficulty in remembering recent events
	Swaying		Difficulty recognizing individuals
	Leaning	Medication Administration	

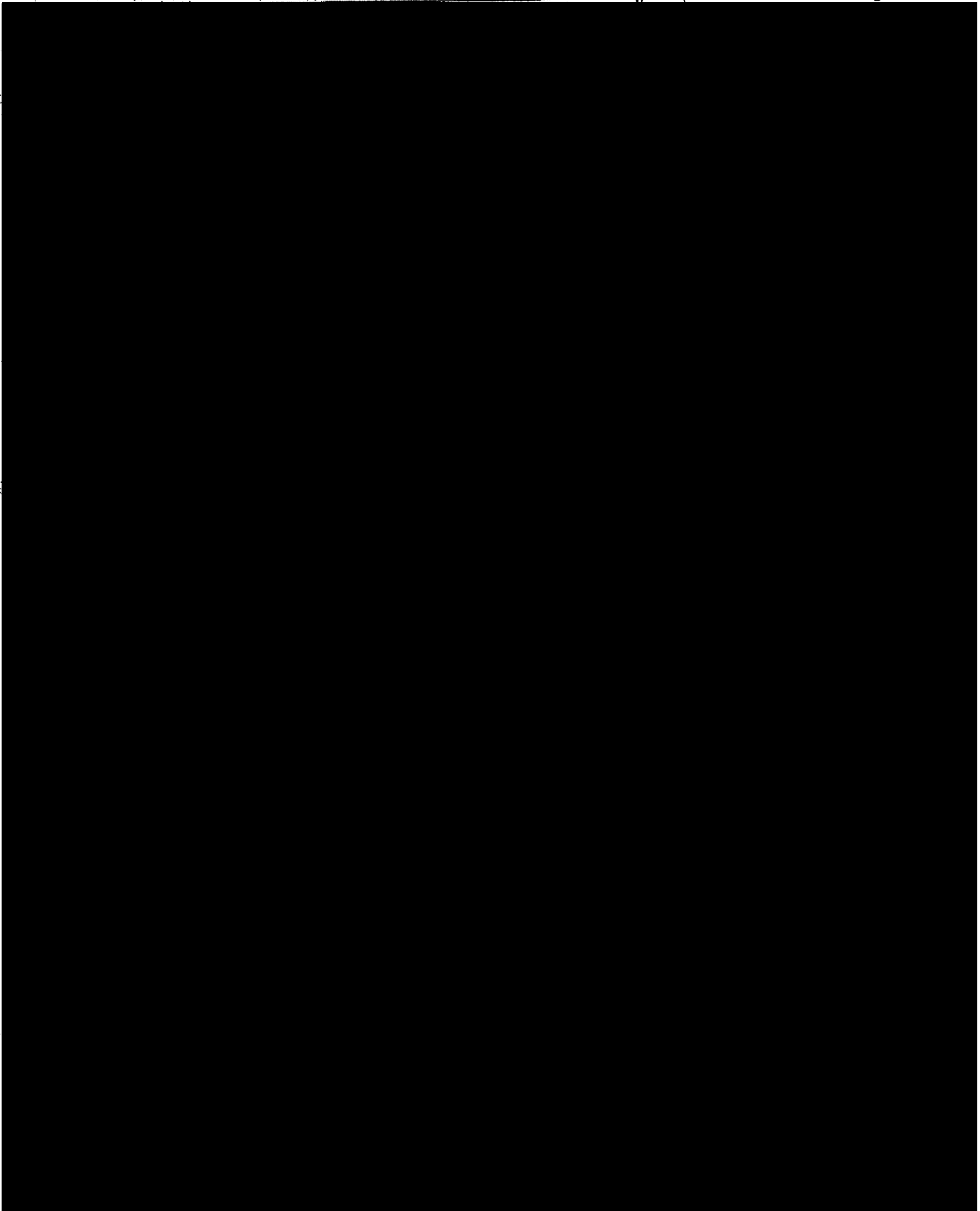
Specimen Detail for Melissa Candrilli, Urine - CONFIDENTIAL



Alcohol Testing Form (Non-DO1)

(The instructions for completing this form are on the back of Copy 3)

FAA
Form 100
1-1-19



Jennifer Pitts

From: Jacqueline Chase
Sent: Tuesday, January 22, 2019 9:10 AM
To: Jennifer Pitts
Subject: FW: Impaired Staff

Good Morning,

This was last evenings activities.

Thank You,
Jacki



**COMPLEX CARE
HOSPITAL
at TENAYA**
A member of LifeCare Health Partners

Jacqueline Chase
Chief Nursing Officer
O: 702-341-1350
M:
F:
E: Jackie.Chase@complexcare.net

Complex Care Hospital at Tenaya
2500 North Tenaya Way
Las Vegas, NV 89128
lifecarehealthpartners.com

From: Norma Borowski
Sent: Tuesday, January 22, 2019 5:35 AM
To: Jessica Hawkins; Jacqueline Chase
Subject: Impaired Staff

Dear Ma'am,

Pam and her colleague came to the supervisor's office while Lilla and I are endorsing, expressing their concerns and observations on one of their colleague Marissa who is acting strangely. We have been asked to go and assess the situation where we went and this is what I have observed : Marissa's face is extraordinarily flushed (which I have observed the day before during a Rapid Response), she cannot do an eye to eye contact because her eyes are droopy, she had with her 2 walkie talkies attached to her uniform and moves like she is drunk. I have not smelled any strange odor from her during the quick conversation. I have waited for Lloyd, Head of RT to interview her and then made the call to the Timely testing for Drug Free work place where they then came to do the test.

Thank you very much.

Respectfully,

Norma Borowski
Night shift Supervisor

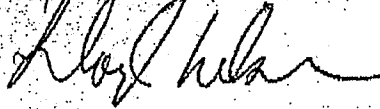
1/23/2019

To whom it may concern,

I was notified on the night of January 21st 2019 that an RT employee showed up to work impaired by the head RT on night shift Pam Duarte. Pam stated that multiple employees witnessed her stumbling and almost falling and that a few of the employees smelled Alcohol on the employees breathe. The employees also stated that she was repeating her sentences multiple times and that she had two walkie talkie on her person. When arriving at the facility I took employee into my office and called the CNO JACKI Chase and had her on speaker phone while I talked to the employee. I asked the employee if she was feeling OK and employee stated she was a little tired but OK. I asked the employee if she was taking any medications and if she had any medical issues I needed to know about. The employee stated she was hypoglycemic. I notified her that there was a suspicion that she was impaired. At this time the employee became very angry and stated she would take any test we wanted that she was not impaired. I notified her that we were going to have concentra come to the facility and test her which she agreed to. When sitting in my office waiting for concentra to come in she was highly agitated stating this was not fair and I noticed she was repeating the same words over and over again. Employee stated they wanted to leave and I asked her to do the tests before she left she agreed to stay. I notified her that she needed to contact someone to come pick her up. Employee stated she would call her fiance to come ~~pick~~ her up. Concentra came to my office and administered the breathalyzer test first they administered two tests and then after the second test employee asked ^{concentra} if she stated she just wanted to resign. After 15 minutes the tech administered a third breathalyzer test after doing a calibration on the machine. After the breathalyzer test the concentra tech took the employee down to restroom for urine test which employee consented to. When employee was done with urine test I saw her in the hallway and I went to talk to her and she stated she was sorry and that she had drank a few drinks during the day and that ~~her~~ ^{her} liver did not process things quickly because she had to have chemo therapy for an auto-immune disorder.

I walked with employee to the RT office and she grabbed her things and clocked out. I walked with her outside where the employee met up with her fiance to take her home.

Lloyd Merson RT Director



on 1/22/19 @ approximately 1745 Mollis/1/22/19
Came to work & came into dept. saying she
had spilled coffee all over herself - she was
talking loudly & saying she was super tired.
She was stumbling a little & falling backwards

She gave me a hug & I got a little
wiff of what I thought might be alcohol.
Then her face was really red & not thinking
I said oh did you have a chemical peel.
She said no. So I was getting ready to
leave & was walking out with Veronica &
mentioned I think I smelled alcohol - we
at that point wasn't sure what to do. We
came back in the dept & she was talking on
the phone to her boyfriend & dropped the phone -
she then already had one walkie talkie on &
put on another. She then started hugging
me again. So Pam was in charge on nights &
we decided we needed her to go in Patients
room & to call Lloyd. Then we proceeded
to go get the 2 RN Supervisors & they came
in the dept. & spoke with her & witnessed the
behavior of swaying & talking loudly. I also
noticed her eyes were kinda swaying back &
forth. Then she proceeded to hug me some more
& was starting to feel a little awkward &
I left after knowing the situation was being
handled -

Mandi Duesen

To whom it may concern,

January 22
2019

On January 21st 2019 I witnessed Melissa Candrelli RT acting loud, repetitive, hugging people, having two walkie talkies on, stumbling several times and almost falling, and smelling like liquor. As I was leaving my shift my coworker Amanda Dawson pulled me to the side and stated she thought Melissa was drunk and I agreed. We then pulled two of the other RTs to the side to discuss what to do. We then notified Lloyd director of RT. It was after this I clocked out Amanda stayed to make sure melissa didn't touch any patients.

↓
Melissa had coffee spilled down her leg & she kept explaining how tired she was & she just needed coffee. It was over & over. Then she'd get up & stumble, wander around & tell the same story very loudly. During bedside report she was rocking back and forth off balance. She was talking over me and being very loud.

Venica Timas RRT

1-22-19

At the beginning of my shift, I was called out of the Respiratory Dept by Veronica and Amanda and it was brought to my attention that they both suspected Melissa of being intoxicated because they both said Melissa's breath smelled like alcohol and she was staggering. I personally did not smell alcohol on her. It was my first time to work with Melissa & I did not know her well enough to ask her of the concerns mentioned. I did notice she ~~was~~ stumble a few times ~~but~~ she excused herself & said she needed coffee & was not awake yet.

Paris M. RRT

1-22-19

CLOCK IN CAME IN THE ROOM SAW MELISSA
SHE SAID HI AND TELLING ME HOW TIRED SHE IS COZ
SHE HAVE NOT DONE GRAVEYARD FOR A WHILE. WHILE I WAS
PUTTING MY STAFF ~~DOWN~~ DOWN SHE WAS TALKING ABOUT
HOW SHE MESS -UP CHARTING IN THE MIDDLE OF OUR CONVERSATION
SHE WAS MAKING COFFEE AND WHEN SHE WAS WALKING TOWARDS
THE ME SAW HER STUMBLED ALMOST ~~FALL~~ FELL

— ROSALYN FERRARIS —

1-22-19

at the start of my Shift 1815 I was
told to go to X-ray room by Mandy
and Veronica. They were concerned
that Melissa might be intoxicated.

They stated they smelled alcohol on her
and that she was stumbling and loud.

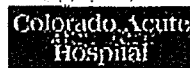
The only thing I noticed was that she
kept repeating her self and did ~~stumble~~ stumble
a couple of times.

Pam Duarte

1/22/19

At the start of shift Melissa came into the department and began explaining how she spilled her coffee on herself. While explaining herself and showing me her stains she stumbled and almost fell.

Amy Meneses PPT



Memorandum

To: Melissa Candrilli

From: Jennifer Pitts, HRBP

Date: 01/25/19

Re: Notice of Suspension and Investigation

Under investigation

This is to inform you that effective immediately, you are suspended from your duties as Respiratory Therapist, PRN, pending the results of an investigation of allegations of:

Being under the influence of alcohol during work hours

The terms of your suspension are as follows:

1. You are not to come to your hospital facility for any purpose unless directed to do so by Human Resources.
2. You are not to remove or dispose of any Company property, including any files, reports, or business related documents.

If you violate any of the terms of this letter, you face immediate termination and possible prosecution. These terms are to protect you, our employees and the property of LifeCare Management Services.

If our investigation finds these allegations are invalid, you will be reinstated with all due compensation and no loss in tenure. If these allegations are verified as a result of our investigation, disciplinary action up to and including separation may result.

If you should have any questions relating to the terms of this suspension, you are to contact me directly.

Employee notified via telephone by:
Employee Signature: _____

Date: _____

Supervisor Signature: Lloyd Nelson

Date: _____

Human Resources Signature: [Signature]

Date: 1-25-19

If employee refuses to sign a witness should sign attesting to the fact that the employee would not sign.

Witness Signature: _____

Date: _____

Notice of Separation of Employment

Employee: Melissa Candrilli

Job Title: Respiratory Therapist PRN

Department: Respiratory Therapy

Explanation for Separation:

Violation of LifeCare Policy

Previous Progressive Discipline Warnings:

N/A

Terminated
on 1/30/19

Important Information Regarding Separation of Employment:

- Life Insurance, Short Term Disability, 401K, and Flexible Spending Accounts will cease on the employee's termination date: 1/30/19 (see attached benefit summary for terminations)
- Medical, Dental, Vision and Flexible Spending Accounts will be offered under COBRA. WageWorks's COBRA Department has 14 days from the date they are notified to mail out your rights to COBRA continuation. Information will be mailed to the current home address on file. Please contact Human Resources if you have not received this information within 3 weeks from the date of this notification.
- Health Savings Account participants will be contacted by HSA Bank to convert HSA accounts to personal accounts, which may include different terms and fees.
- 401K questions should be directed to Fidelity (see attached benefit summary for termination)
- 2019 W-2 Earnings Statement will be mailed to the address on file in January of 2020 for wages earned in 2019. 2019 1095-C forms will be mailed in accordance with IRS guidelines in early 2020. Please contact us if you have a change of address.

Employees may use the back of the page to write any comments. Any party involved in the counseling session may attach additional pages.

Employee is required to sign below as acknowledgment of receipt of this Progressive Discipline action.

Employee Signature: [Signature]Date: 1/31/19Supervisor Signature: [Signature]Date: 1-30-19 02:10 PMHuman Resources Signature: [Signature]Date: 1-30-19 02:10 PM

If employee refuses to sign, a witness must sign below attesting to the fact that the employee did receive a copy of this document and refused to sign.

Witness Signature: [Signature]Date: 1/31/19

Employee notified via telephone. Employee requested to pick up check on 1-31-19.

Candrilli, Melissa**23266****Current Pay Period****1 Employee(s) Selected**

Date	Schedule	In	Out	Transfer	Pay Code	Amount	Shift	Daily	Period
Sun 1/20		5:45P M	5:42AM	///052140///L4V-12-8 Weekday-ORIENT-FLOOR			11:27	11:27	11:27
Mon 1/21		5:36P M	8:57PM	///052140///L4V-12-8 Weekday-ORIENT-FLOOR			3:21	3:21	14:48
Tue 1/22									14:48
Wed 1/23									14:48
Thu 1/24									14:48
Fri 1/25									14:48
Sat 1/26									14:48
Sun 1/27									14:48
Mon 1/28									14:48
Tue 1/29									14:48
Wed 1/30									14:48
Thu 1/31									14:48
Fri 2/01									14:48
Sat 2/02									14:48

EXHIBIT 15

License Information	
LICENSE NUMBER: RC1511	
Person Info	
Name: MELISSA TERESA CANDRILLI	
Friday, June 28, 2019	

19-18575

Do you currently have a medical condition which in any way impairs or limits your ability to practice respiratory care services with reasonable skill and safety?	N
If "Yes" during the time period July 1, 2017 - July 1, 2019 type an explanation in the textbox directly below this question.	
Explanation 1: For the above question if your answer is "Yes" for the time period July 1, 2017 - July 1, 2019, or since your last renewal, please type your explanation in this text box.	
If you currently have a medical condition which in any way impairs or limits your ability to practice respiratory care services, is that impairment or limitation reduced or ameliorated because of the field of practice, the setting, or the manner in which you have chosen to practice, or by any other reasonable accommodation?	N
If "Yes" during the time period July 1, 2017 - July 1, 2019 type an explanation in the text box directly below this question.	
Explanation 2: For the above question if your answer is "Yes" for the time period July 1, 2017 - July 1, 2019, or since your last renewal, please type your explanation in this text box.	
If you use chemical substances, does your use in any way impair or limit your ability to practice respiratory care services with reasonable skill and safety?	N
If "Yes" during the time period July 1, 2017 - July 1, 2019 type an explanation in the textbox directly below this question.	
Explanation 3: For the above question if your answer is "Yes" for the time period July 1, 2017 - July 1, 2019, or since your last renewal, please type your explanation in this text box.	
Have you been named as a defendant, or been requested to respond as a defendant, to a legal action involving professional liability, or malpractice, including any military tort claims if applicable?	N
If "Yes" during the time period July 1, 2017 - July 1, 2019 type an explanation in the text box directly below this question.	
Explanation 4: For the above question if your answer is "Yes" for the time period July 1, 2017 - July 1, 2019, or since your last renewal, please type your explanation in this text box. Please fax a copy of the Complaint, Settlement and/or Dismissal, civil or otherwise to 775-688-2551 or scan and email to elicensensbme@medboard.nv.gov	
Have you had a professional liability, malpractice, claim paid on your behalf or paid such a claim yourself including any military tort claims if applicable?	N
If "Yes" during the time period July 1, 2017 - July 1, 2019 type an explanation in the text box directly below this question.	
Explanation 5: For the above question if your answer is "Yes" for the time period July 1, 2017 - July 1, 2019, or since your last renewal, please type your explanation in this text box. Please fax a copy of the Complaint, Settlement and/or Dismissal, civil or otherwise to 775-688-2551 or scan and email to elicensensbme@medboard.nv.gov	
Have you been arrested, investigated for, charged with, convicted of, or pled guilty or nolo contendere to any offense or violation of any federal (including the Uniform Code of Military Justice), state, or local law, or the laws of any foreign country, which is a misdemeanor, gross misdemeanor, felony, violation of the Uniform Code of Military Justice, or synonymous thereto in a foreign jurisdiction, excluding any minor traffic offense (driving or being in	

**RENEWED
7/1/19 - 6/30/21
BIENNIAL**

**RECEIVED
JUN 28 2019
NEVADA STATE BOARD OF
MEDICAL EXAMINERS**

<p>substance, including alcohol, is not considered a minor traffic offense), or for any offense which related to the manufacture, distribution, prescribing, or dispensing of controlled substances? *Please note that you MUST disclose ANY investigation or arrest, including those where the final disposition was dismissal, or expungement.</p> <p>If "Yes" during the time period July 1, 2017 - July 1, 2019 type an explanation in the textbox directly below this question.</p>	<p>N</p>
<p>Explanation 6: For the above question if your answer is "Yes" for the time period July 1, 2017 - July 1, 2019, or since your last renewal, please type your explanation in this text box.</p>	
<p>Have you been denied a license or certification/registration to provide respiratory care services, or permission to practice as a respiratory care therapist, or permission to take an examination to practice as a respiratory care therapist, or permission to practice any other healing art in any state, country or U.S. territory?</p> <p>If "Yes" during the time period July 1, 2017 - July 1, 2019 type an explanation in the textbox directly below this question.</p>	<p>N</p>
<p>Explanation 7: For the above question if your answer is "Yes" for the time period July 1, 2017 - July 1, 2019, or since your last renewal, please type your explanation in this text box.</p>	
<p>Have you had a certificate or license to provide respiratory care services in any other healing art revoked, suspended, limited, or restricted in any state, country or U.S. territory?</p> <p>If "Yes" during the time period July 1, 2017 - July 1, 2019 type an explanation in the textbox directly below this question.</p>	<p>Y</p>
<p>Explanation 8: For the above question if your answer is "Yes" for the time period July 1, 2017 - July 1, 2019, or since your last renewal, please type your explanation in this text box.</p>	
<p>Have you ever voluntarily surrendered a license or certificate to provide respiratory care services or any other healing art in any state, country or U.S. territory by the direct request of a medical board?</p> <p>If "Yes" during the time period July 1, 2017 - July 1, 2019 type an explanation in the textbox directly below this question.</p>	<p>N</p>
<p>Explanation 9: For the above question if your answer is "Yes" for the time period July 1, 2017 - July 1, 2019, or since your last renewal, please type your explanation in this text box.</p>	
<p>Have you been: a) asked to respond to an investigation; b) notified that you were under investigation for; c) investigated for; d) charged with; or e) convicted of any violation of a statute, rule or regulation governing your practice as a practitioner of respiratory care by any medical licensing board, hospital, medical society, governmental entity or agency other than the Nevada State Board of Medical Examiners?</p>	<p>N</p>
<p>Explanation 10: For the above question if your answer is "Yes" for the time period July 1, 2017 - July 1, 2019, or since your last renewal, please type your explanation in this text box.</p>	
<p>Have you had your registration/certification revoked, suspended, and/or limited by the National Board for Respiratory Care?</p> <p>If "Yes" during the time period July 1, 2017 - July 1, 2019 type an explanation in the textbox directly below this question.</p>	<p>Y</p>
<p>Explanation 11: For the above question if your answer is "Yes" for the time period July 1, 2017 - July 1, 2019, or since your last renewal, please type your explanation in this text box.</p>	
<p>the board thought I was not current with the nbrc. I am credentialed until 2023 and showed the board proof. They reinstated my license.</p>	

past 24 months?	
Explanation 12: For the above question if your answer is "NO" for the time period July 1, 2017 - July 1, 2019, or since your last renewal, please type your explanation in this text box.	
Have you been denied membership, been asked to resign or expelled from a medical society or other professional medical organization?	N
Explanation 13: For the above question if your answer is "Yes" for the time period July 1, 2017 - July 1, 2019, or since your last renewal, please type your brief explanation in this text box. (Fields are space limited to 256 characters). Lengthy explanations or additional information may be faxed to 775-688-2551 or scanned and emailed to elicenssbme@medboard.nv.gov.	
Are you out of compliance with court ordered child support? If this does not apply to you please answer "no."	
If "Yes" during the time period July 1, 2015 - June 30, 2017 type an explanation in the text box directly below this question.	N
Explanation 14: For the above question if your answer is "Yes" for the time period July 1, 2017 - July 1, 2019, or since your last renewal, please type your explanation in this text box.	
I attest and affirm that I am aware of and understand the reporting requirements found in Nevada Revised Statute 432B.220 regarding the abuse or neglect of a child. http://www.leg.state.nv.us/NRS/NRS-432B.html#NRS432BSec220 Once you have read the statute regarding the reporting of the abuse or neglect of a child, your answer to this question will be "YES."	Y
I have completed the required amount of continuing professional education units (CEUs) approved by the American Association of Respiratory Care or any program or another organization by the Board within the current biennial. (Review CEU information online at medboard.nv.gov/licensees/ce/)	
I understand that I may be included in a random audit. I agree to retain CEU's taken between July 1, 2017 - July 1, 2019.	
"I swear and affirm that I have kept my National Board for Respiratory Care certification/registration current during this biennial. Note: Licensees who were recently certified/registered with the NBRC are required to re-certify or re-register and have an expiration date with their NBRC certification/registration, which ultimately affects their Nevada license. NRS 630.277 requires current certification with the NBRC or its successor organization. This question does NOT refer to NBRC "membership."	Y
I HEREBY SWEAR OR AFFIRM UNDER THE PENALTIES OF PERJURY THAT I AM IN FULL COMPLIANCE WITH ANY AND ALL OBLIGATIONS, TERMS OR CONDITIONS OF MY NEVADA PRACTITIONER OF RESPIRATORY CARE LICENSE SPECIFIED BY THE BOARD.	
End	

EXHIBIT 16

19-18575

CR003638-19 CITY OF NORTH LAS VEGAS VS. CANDRILLI, MELISSA T

Case Type	CRIMINAL NLV
Case Status:	CLOSED
Case Judge:	HOEFFGEN, SEAN
Next Event:	

All Information Party Charge Ticket/Citation # Event Docket Financial Receipt Additional Fields

Party Information

CANDRILLI, MELISSA T - DEFENDANT

DOB 11/09/1972

Address

Phone

Alias

Party Attorney

More Party Information

Party Charge Information

CANDRILLI, MELISSA T - DEFENDANT

Charge # 1 :

G02019M00NV - MISDEMEANOR FALSE STMT TO/OBSTRUCT PUB OFF

Original Charge G02019M00NV FALSE STMT TO/OBSTRUCT PUB
OFF (MISDEMEANOR)

Indicted Charge
Amended Charge
DV Related?
Modifiers
Stage Date

Ticket # B00367724
ATN #
Tracking #
Place of Offense CITY OF NORTH LAS
VEGAS
Offense
Location
Date of Offense 07/24/2019
Complainant

Party Charge Disposition

Disposition Date
Disposition
08/26/2019
PLED NO CONTEST AT
ARRAIGNMENT/SENTENCING

Sentencing Information

Ticket/Citation #

Citation # : B00367724 - CITY OF NORTH LAS VEGAS

Offense Date 07/24/2019

Agency NORTH LAS VEGAS POLICE
DEPARTMENT
Complainant

Speed Cited
Speed Limit 0
Location
Insured/Proof
Accident N
Work Zone N
Haz Mat N
Points
Priors
License Taken N
BAC

Plate
State NV
Year
Type
Style
Color

Events				
Date/Time	Location	Type	Result	Event Judge
08/26/2019 08:00 AM	COURTROOM 2	ARRAIGNMENT	EVENT COMPLETED	HOEFFGEN, SEAN

Docket Information					
Date	Description	Docket Text	Amount Owed	File Ref Nbr.	Amount Due
07/24/2019	DEFENDANT ARRESTED/IN-CUSTODY	DEFENDANT ARRESTED/IN-CUSTODY			
07/25/2019	SURETY BOND FILED	<p>SURETY BOND FILED</p> <p>Arrest Bond Added to Case with: Action Code: FALSE STMT TO/OBSTRUCT PUB OFF Arrest Date: 07/24/2019 Custody Location: LAS VEGAS DETENTION CENTER Arrest # Type: LAW ENFORCEMENT AGENCY NUMBER Number: 1907240015233 Bond Status: ACTIVE BOND Status Date: 07/25/2019 Blanket Bond: No Okay to Apply: No Bond Type: SURETY BOND Bond Amount: 1140 Bond/Pwr No.: AS3K-406340 Bonding Co.: AGUAYO BAIL BONDS Insurance Co.: ALLEGHENY CASUALTY COMPANY</p>			
07/25/2019	DEFENDANT RELEASED FROM DETENTION	DEFENDANT RELEASED FROM DETENTION			
07/25/2019	BOND FEE	BOND FEE Receipt: 2298223 Date: 07/25/2019	\$50.00		\$0.00
07/25/2019	HEARING SCHEDULED	<p>HEARING SCHEDULED Event: ARRAIGNMENT Date: 08/26/2019 Time: 8:00 am Judge: HOEFFGEN, SEAN Location: COURTROOM 2</p> <p>Result: EVENT COMPLETED</p> <p>Result: EVENT COMPLETED</p>			
08/26/2019	PLED NOLO	<p>PLED NOLO Charge #1: FALSE STMT TO/OBSTRUCT PUB OFF</p>			
08/26/2019	\$3 GENETIC MARKER TESTING FEE	<p>\$3 GENETIC MARKER TESTING FEE Charge #1: FALSE STMT TO/OBSTRUCT PUB OFF Receipt: 2304959 Date: 08/26/2019</p>	\$3.00		\$0.00
08/26/2019	\$5 ADMINISTRATIVE ASSESSMENT - GEN FUND	<p>\$5 ADMINISTRATIVE ASSESSMENT - GEN FUND Charge #1: FALSE STMT TO/OBSTRUCT PUB OFF Receipt: 2304959 Date: 08/26/2019</p>	\$5.00		\$0.00
08/26/2019	\$7 SPECIALTY COURT FEE ASSESSED	<p>\$7 SPECIALTY COURT FEE Charge #1: FALSE STMT TO/OBSTRUCT PUB OFF Receipt: 2304959 Date: 08/26/2019</p>	\$7.00		\$0.00
08/26/2019	\$10 COURT FACILITIES FEE ASSESSED	<p>\$10 COURT FACILITIES FEE ASSESSED Charge #1: FALSE STMT TO/OBSTRUCT PUB OFF Receipt: 2304959 Date: 08/26/2019</p>	\$10.00		\$0.00
08/26/2019	\$80 ADMINISTRATIVE ASSESSMENT	<p>\$80 ADMINISTRATIVE ASSESSMENT Charge #1: FALSE STMT TO/OBSTRUCT PUB OFF Receipt: 2304959 Date: 08/26/2019</p>	\$80.00		\$0.00
08/26/2019	\$250 FINE/BAIL ASSESSED	<p>\$250 FINE ASSESSED Charge #1: FALSE STMT TO/OBSTRUCT PUB OFF Receipt: 2304959 Date: 08/26/2019</p>	\$250.00		\$0.00
08/26/2019	CASE IN ACCOUNTS RECEIVABLE STATUS	CASE IN ACCOUNTS RECEIVABLE STATUS, AR DUE IN 30 DAYS			

Date	Description	Docket Text	Amount Owed	File Ref Nbr.	Amount Due
08/26/2019	EVENT COMPLETED	<p>EVENT COMPLETED</p> <p>The following event: ARRAIGNMENT scheduled for 08/26/2019 at 8:00 am has been resulted as follows:</p> <p>Result: EVENT COMPLETED</p> <p>Judge: HOFFGEN, SEAN Location: COURTROOM 2</p>			
08/26/2019	PRESIDING JUDGE AND STAFF ATTENDING IN-COURT	<p>PRESIDING JUDGE AND STAFF ATTENDING IN-COURT</p> <p>Court Location: COURTROOM 2</p> <p>Check In:</p> <p>Judge: HOFFGEN, SEAN</p> <p>Location: COURTROOM 2</p> <p>Staff:</p> <p>CURIEL, LISA - COURT CLERK 3: Present</p> <p>GOSWAMI, DEEP - DEPUTY CITY ATTORNEY: Present</p> <p>PALOMO, GUILLERMO - INTERPRETER: Present</p> <p>SMEDLEY ESQ, JAMES J. - DEPUTY CITY ATTORNEY: Present</p> <p>TAYLOR, BRANDY - COURT CLERK 3: Present</p> <p>Prosecutors:</p> <p>CITY ATTORNEY: Present</p> <p>Parties:</p> <p>CITY ATTORNEY - Event Attorney for COMPLAINANT: Present</p>			
08/26/2019	BOND EXONERATED	BOND EXONERATED			
08/26/2019	CASE CLOSED	CASE CLOSED			

Financial Summary

Cost Type	Amount Owed	Amount Paid	Amount Adjusted	Amount Outstanding
AA FEE	\$85.00	\$85.00	\$0.00	\$0.00
FEE	\$70.00	\$70.00	\$0.00	\$0.00
FINE	\$250.00	\$250.00	\$0.00	\$0.00
	\$405.00	\$405.00	\$0.00	\$0.00

Receipts

Receipt Number	Receipt Date	Received From	Payment Amount
2298223	07/25/2019	AGUAYO BAIL BONDS	\$50.00
2304959	08/26/2019	CANDRILLI, MELISSA T	\$355.00
			\$405.00

Additional Fields



City of North Las Vegas Police Department

1

Case No: 1907240015233
Report No: 1907240015233-001
Report Date: 7/24/2019 6:10:31 PM

Page 1 of 6

W/170

Administrative

Subject		WA #TR004705-19/OBST/DV INFO	
Case Report Status		Entered By	NL2230 - ROSE, MICHAEL L
(and) Occurred On		Date Reported	7/24/2019 6:10:31 PM
Occurred Between		Date Verified (Legacy Cases)	
Location Address		Verified By (Legacy Cases)	
Location Name		Date Approved (Legacy Cases)	
Jurisdiction		Approved By (Legacy Cases)	
Grid (Beat)		Clearance Basis	
Sector		Date of Clearance	
Connecting Cases		Disposition	Arrest
Report Type			
Arrest-Adult			
Date Entered			
7/24/2019 8:27:36 PM			

RECEIVED

AUG 05 2019

NEVADA STATE BOARD OF
MEDICAL EXAMINERS

Reporting Officer
ROSE, MICHAEL L

Assisted By
TOMASELLO,
MICHAEL
MENDEZ, TEODORO
Snyder, Brian D

Offense Detail Warrant of Arrest

Offense Description	Warrant of Arrest	Location	Residence/Home
Charge Type	Non-Crime	Hate/Bias	
Crime Against		Domestic Violence	
UCR Hierarchy		Fraud Related	N - No
Using		Cargo Theft	
Tools Used		Gang	N - No
Criminal Activity		Entry Method	
Weapons			

Offense Detail False Stmt To/Obstruct Public Officer - 197.190

Offense Description	False Stmt To/Obstruct Public Officer - 197.190	Location	Residence/Home
Charge Type	M	Hate/Bias	
Crime Against	Person, Property, Society	Domestic Violence	
UCR Hierarchy	26	Fraud Related	N - No
Using	Alcohol	Cargo Theft	
Tools Used		Gang	N - No
Criminal Activity		Entry Method	
Weapons			

Offense Detail Domestic Violence

Offense Description	Domestic Violence	Location	Residence/Home
Charge Type	Non-Crime	Hate/Bias	
Crime Against		Domestic Violence	
UCR Hierarchy		Fraud Related	N - No
Using		Cargo Theft	
Tools Used		Gang	N - No
Criminal Activity		Entry Method	
Weapons			

Offenders

NSBME0076



Case No: 1907240015233
Report No: 1907240015233-001
Report Date: 7/24/2019 6:10:31 PM

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Suspect Name: Walton, Johnny Lee

Name	Walton, Johnny Lee	DOB	3/12/1969	Place of Birth	
CS No	7767142	Age	50	SSN	
Resident	Resident	Sex	Male	DLN	
Habitual Offender		Race	Black or African American	DLN State	Nevada
Domestic Violence	Y - Yes	Ethnicity	Not Hispanic or Latino	Employer/School	
		Height	5' 11"	Employer Address	
		Weight	180	Employer CSZ	
		Build	Medium	Occupation/Grade	Air Force contractor
				Suspect MO	
				Other MO	

Addresses

Address Type	Address	CSZ	County	Country
H - Home		NLV, NV 89084	Clark	USA

Phones

Phone Type	Phone Number
------------	--------------

CELL - Cell

Emails

Email Address

Scars, Marks and Tattoos

SMT	Location	Description
-----	----------	-------------

Domestic Violence

Mitigating Circumstances	OTH - Other	Alcohol/Drug Use Suspected	PO In Effect
Weapons Used	03 - Hands, Fist, Feet	Injuries	Act of Hand, Fists, Feet
Primary Aggressor	Yes	Medical	Mutual
			Combatants
			Associated Crimes

Notes**Arrestee****Arrestee Name: Walton, Johnny Lee**

Name	Walton, Johnny Lee	DOB		Place of Birth	
CS No	7767142	Age	50	SSN	
Sex	Male	Eye Color	Brown	DLN	
Race	Black or African American	Hair Color	Black	DLN State	Nevada
Ethnicity	Not Hispanic or Latino	Hair Style	Curly	Employer/School	
Resident	Resident	Hair Length	Short	Employer Address	
Habitual Offender		Facial Hair		Employer CSZ	
Domestic Violence	N - No	Teeth		Occupation/Grade	Air Force contractor
		Build	Medium	Suspect MO	
		Height	5' 11"	Other MO	
		Weight	180		

Addresses

Address Type	Address	CSZ	County	Country
H - Home		NLV, NV 89084	Clark	USA

Phones

Phone Type	Phone Number
------------	--------------



Case No: 1907240015233
 Report No: 1907240015233-001
 Report Date: 7/24/2019 6:10:31 PM

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CELL - Cell
 Emails

Email Address

Scars, Marks and Tattoos

SMT	Location	Description
-----	----------	-------------

Domestic Violence

Mitigating	Alcohol/Drug	PO in Effect
Circumstances	Use Suspected	
Weapons Used	Injuries	Act of Hand, Fists, Feet
Primary Aggressor	Medical	Mutual Combatants
		Associated Crimes

Warrant Information

Warrant Number	Charge	Case Number
Arrested For	NLInfo20 - Warrant of Arrest	
Arrest Type	On-view	Multi-Clearance
Arrest Date	7/24/2019 12:00:00 AM	FBI No
Arrest Location		State No
		Armed With
		Date/Time Booked
		Juvenile Dispo
		Name of Adult Present
		Unarmed

Notes

Arrestee Name: Candrilli, Melissa T

Name	Candrilli, Melissa T	DOB		Place of Birth	
CS No	7767143	Age	46	SSN	
Sex	Female	Eye Color	Brown	DLN	
Race	White	Hair Color	Black	DLN State	Nevada
Ethnicity	Not Hispanic or Latino	Hair Style	Straight	Employer/School	
Resident	Resident	Hair Length		Employer Address	
Habitual Offender		Facial Hair		Employer CSZ	
Domestic Violence	N - No	Teeth		Occupation/Grade	
		Build	Medium	Suspect MO	
		Height	5' 6"	Other MO	
		Weight	150		

Addresses

Address Type	Address	CSZ	County	Country
H - Home		NLV, NV 89084	Clark	USA

Phones

Phone Type	Phone Number
------------	--------------

Emails

Email Address

Scars, Marks and Tattoos

SMT	Location	Description
-----	----------	-------------

Domestic Violence

Mitigating	Alcohol/Drug	PO in Effect
Circumstances	Use Suspected	
Weapons Used	Injuries	Act of Hand, Fists, Feet
Primary Aggressor	Medical	Mutual Combatants
		Associated Crimes

Warrant Information

Warrant Number	Charge	Case Number
Arrested For	NL52312 - False Stmt To/Obstruct Public Officer - 197.190	
Arrest Type	On-view	Multi-Clearance
Arrest Date	7/24/2019 12:00:00 AM	FBI No
Arrest Location		State No
		Armed With
		Date/Time Booked
		Juvenile Dispo
		Name of Adult Present
		Unarmed



Case No: 1907240015233
Report No: 1907240015233-001
Report Date: 7/24/2019 6:10:31 PM

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Notes

Victims

Victim/Entity Name:

Victim Type Society/Public

Victim of

NLInfo20 - Warrant of Arrest
NL52312 - False Stmt To/Obstruct Public
Officer - 197.190

Name
DOB
Elderly Abuse
Injuries
Injury Weapons
Domestic Violence

Place of Birth
Age
Sex
Race
Ethnicity
Height
Weight
Eye Color
Hair Color
Facial Hair
Complexion
Build

SSN
DLN
DLN State
Occupation/Grade
Employer/School
Employer Address
Employer CSZ
Resident

Testify

Domestic Violence

Mitigating
Circumstances
Weapons Used

Alcohol/Drug Use Suspected

PO in Effect

Primary Aggressor
DV Card Given

Injuries

Act of Hand, Fists,
Feet
Mutual Combatants
Associated Crimes
Arrested?

Medical
No of Children Present (0-18)

Number of Children Present

0-3 yrs

4-6 yrs

7-9 yrs

10-12 yrs

13-15 yrs

16-18 yrs

Addresses

Address Type	Address	CSZ	County	Country
Phone Type	Phone Number			
Email Address				

LEOKA Information

Type
Assignment

Activity
ORI-Other Jurisdiction

Notes

Victim/Entity Name: Candrilli, Melissa T

Victim Type Individual

Victim of

NLInfo02 - Domestic Violence

Name Candrilli, Melissa T
DOB [REDACTED]
Elderly Abuse
Injuries
Injury Weapons
Domestic Violence Y - Yes

Place of Birth
Age 46
Sex Female
Race White
Ethnicity N - Not Hispanic or Latino
Height 5' 6"
Weight 150
Eye Color Brown
Hair Color Black
Facial Hair
Complexion
Build M - Medium

SSN [REDACTED]
DLN [REDACTED]
DLN State
Occupation/Grade
Employer/School
Employer Address
Employer CSZ
Resident Resident

Testify

Domestic Violence



City of North Las Vegas Police Department



Case No: 1907240015233
Report No: 1907240015233-001
Report Date: 7/24/2019 6:10:31 PM

Page 5 of 6

Mitigating Circumstances Weapons Used	Alcohol/Drug Use Suspected	Injuries	Medical	Refused	PO in Effect	N - No
Primary Aggressor	No of Children Present (0-18)				Act of Hand, Fists, Feet	
DV Card Given					Mutual Combatants	
					Associated Crimes	
					Arrested?	N - No

Number of Children Present

0-3 yrs	4-6 yrs	7-9 yrs	10-12 yrs	13-15 yrs	16-18 yrs
---------	---------	---------	-----------	-----------	-----------

Addresses

Address Type	Address	CSZ	County	Country
H - Home	[REDACTED]	NLV, NV 89084	Clark	USA

Phones

Phone Type	Phone Number

Email Address

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LEOKA Information

Type	Activity
Assignment	ORI-Other Jurisdiction

Notes

Witnesses _____

Other Entities _____

Narrative

On Wednesday, 7-24-19 at approximately 1810 hours, Officer Tomasello #2531 and I were dispatched to the 6500 Block of Feather Peak in reference to a 911 call with an open line. Dispatch advised there was no information given, only an open line and they could hear a male and female arguing. While en route, dispatch advised the female sounded intoxicated and the male and female were arguing over the female wanting car keys.

Upon our arrival, a male and female walked out of 6416 Night Owl Bluff (corner of Night Owl Bluff and Feather Peak). The male, later identified as Johnny Walton, held his hand up and told Officer Tomasello he was the one who called us. The female, who was clearly extremely intoxicated, was later identified as Melissa Candrilli. Candrilli had red, watery eyes, slurred speech, the strong odor of an unknown alcoholic beverage coming from her breath, and unstable/wobbly balance. Walton and Candrilli told us they were engaged and live together at this residence. I asked them why they called the police and Walton said Candrilli was drunk and was trying to drive her car. Walton said they began arguing because Walton would not allow her to drive drunk. Both Walton and Candrilli told me there was no physical confrontation.

I then noticed Candrilli had a fresh scratch on her right wrist (backhand side), as well as bruising and what appeared to be old scratches on that wrist. I asked how Candrilli got scratched and she became upset. At first, both Walton and Candrilli said they did not know how she got the scratch, then stated they were old injuries from their dog, then stated she tripped and grabbed the exterior wall stucco for balance and must have gotten the scratch that way. I told them that did not make sense since the fresh scratch was on the backhand side (the old dog injuries did not explain the new scratch and the stucco story would only be plausible if the scratch were on the palm side, due to grabbing at the wall). I said it looked consistent with a scratch from a fingernail, possibly from grabbing around her wrist. Candrilli now became belligerent and confrontational. She began yelling at me, saying "I used to be an MP (military police)!" and "We are not going to play this game!" Walton now said he did, in fact, grab Candrilli around her wrist. He said she had her keys in her hand and he was telling her she could not drive drunk. He said she refused, so he grabbed her wrist and took the keys from her hand. He said he did not believe he scratched her. Candrilli continued to deny any physical confrontation and continued berating us.

Officer Tomasello performed a wants/records check of Walton and Candrilli. He told me Walton showed to have a warrant out of North Las Vegas for failure to comply on traffic citations. Dispatch #2434 later confirmed Walton's warrant #TR004705-19 (\$621 amount).



Since Walton showed to have a warrant out of North Las Vegas, I told him to walk to our patrol car. Walton complied and I explained that he had warrants and was placing him under arrest. As I began placing handcuffs on Walton, Candrilli became enraged and began hastily walking toward us. She said "Oh no you are not!" Officer Tomasello told Candrilli to not interfere and to stay back, but she continued aggressing toward us, with obvious purpose to interfere with me placing Walton under arrest. Officer Tomasello continued ordering Candrilli to stay back, but she attempted to push past him. Officer Tomasello held his arms out and attempted to physically block Candrilli from getting to me and Walton, but she continued to try to push past him. Eventually, Officer Tomasello escorted Candrilli to the ground and held her down. Refer to Officer Tomasello's report for details on his actions.

I was able to finish placing Walton in handcuffs, pat him down, and place him in the back of our patrol car. Once Walton was secured, I went to help Officer Tomasello. I saw Officer Tomasello was still holding Candrilli down and struggling to get her placed in handcuffs. Candrilli was screaming at Officer Tomasello saying things like "I hope you fucking die!", "You are a piece of shit!", and "Your wife is a piece of shit!" I placed my knee on Candrilli's upper back and grabbed her right wrist. At this point, Officer Tomasello was able to place her left wrist into a handcuff and I pulled her right wrist behind her back. Officer Tomasello was then able to place her right wrist into the other handcuff. Once Candrilli was in handcuffs, all uses of force stopped and we picked her up to her feet. Candrilli continued to scream at us and tell us to take her out of handcuffs and let go of her. Officers Snyder and Mendez arrived on scene. Due to Candrilli's behavior, Officers Snyder and Mendez placed a spit hood and hobbles on Candrilli. She was then placed in the back of their patrol car. She was taken out of hobbles and the spit mask was removed once she was placed in the patrol car.

Officer Tomasello and I transported Walton to the Las Vegas City Jail, where he was booked on his warrant. I determined that probable cause did not exist that a domestic battery occurred, so no arrest was made for domestic battery.

Officers Snyder #1721 and Mendez #1664 transported Candrilli to the Las Vegas City Jail, where she was booked by Officer Tomasello for obstructing (refer to Officer Tomasello's report for details).

Attachments: One prebook form and one copy of warrant of arrest #TR004705-19 (Candrilli's paperwork is attached with Officer Tomasello's report).

EXHIBIT 17



City of North Las Vegas Police Department

1

Case No: 1908060016055
Report No: 1908060016055-001
Report Date: 8/6/2019 11:29:59 AM

Page 1 of 4

Administrative

Subject	FAIL TO MAINTAIN LANE/DUI ALCOHOL/DRUGS WITH ACC		
Case Report Status	Date Entered	8/6/2019 1:40:55 PM	
	Entered By	NL1872 - FOX, MATTHEW	
Occurred On	8/6/2019 11:29:00 AM	Date Reported	8/6/2019 11:29:59 AM
(and) Occurred Between		Date Verified (Legacy Cases)	
Location Address	Clayton St / Marsh Tern Ct	Verified By (Legacy Cases)	Reporting Officer FOX, MATTHEW
Location Name		Date Approved (Legacy Cases)	
Jurisdiction	North	Approved By (Legacy Cases)	Assisted By KRYSCZUK, ROBERT
Grid (Beat)	NE8	Clearance Basis	
Sector	E	Date of Clearance	
Connecting Cases			
Report Type	Arrest-Adult	Disposition	Arrest

Offense Detail Fail to Properly Maintain Travel Lane or Improper Lane Change - CO 10.16.150

Offense Description	Fail to Properly Maintain Travel Lane or Improper Lane Change - CO 10.16.150	Location	Highway/Road/Alley
Charge Type	M	Hate/Bias	
Crime Against		Domestic Violence	
UCR Hierarchy		Fraud Related	N - No
Using		Cargo Theft	
Tools Used		Gang	N - No
Criminal Activity		Entry Method	
Weapons			

Offense Detail DUI, above legal limit, (1st) - 484C.110

Offense Description	DUI, above legal limit, (1st) - 484C.110	Location	Highway/Road/Alley
Charge Type	M	Hate/Bias	
Crime Against	Society	Domestic Violence	
UCR Hierarchy	21	Fraud Related	N - No
Using		Cargo Theft	
Tools Used		Gang	N - No
Criminal Activity		Entry Method	
Weapons			

Offenders

Arrestee

Arrestee Name: Candrilli, Melissa T

Name	Candrilli, Melissa T	DOB	[REDACTED]	Place of Birth	[REDACTED]
CS No	7767143	Age	46	SSN	[REDACTED]
Sex	Female	Eye Color	Brown	DLN	[REDACTED]
Race	White	Hair Color	Black	DLN State	Nevada
Ethnicity	Not Hispanic or Latino	Hair Style	Wavy	Employer/School	
Resident	Resident	Hair Length	Medium	Employer Address	
Habitual Offender		Facial Hair		Employer CSZ	
Domestic Violence	N - No	Teeth		Occupation/Grade	
		Build	Medium	Suspect MO	



City of North Las Vegas Police Department

2

Case No: 1908060016055
Report No: 1908060016055-001
Report Date: 8/6/2019 11:29:59 AM

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Height 5' 6"
Weight 150

Other MO

Addresses

Address Type	Address	CSZ	County	Country
H - Home		NLV, NV 89084	Clark	USA

Phones

Phone Type	Phone Number
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Emails

Email Address

Scars, Marks and Tattoos

SMT	Location	Description
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Domestic Violence

Mitigating	Alcohol/Drug	PO in Effect
Circumstances	Use Suspected	
Weapons Used	Injuries	Act of Hand, Fists, Feet
Primary Aggressor	Medical	Mutual Combatants
		Associated Crimes

Warrant Information

Warrant Number	Charge	Case Number
Arrested For	NL53900 - DUI, above legal limit, (1st) - 484C.110 NL55453 - Fail to Properly Maintain Travel Lane or Improper Lane Change - CO 10.16.150	Armed With Unarmed
Arrest Type	On-view	Multi-Clearance Not Applicable
Arrest Date	8/6/2019 11:42:00 AM	FBI No
Arrest Location	State No	Date/Time Booked 8/6/2019 12:44:00 PM Juvenile Dispo Name of Adult Present

Notes

Victims

Victim/Entity Name:

Victim Type	Society/Public	Victim of
		NL53900 - DUI, above legal limit, (1st) - 484C.110 NL55453 - Fail to Properly Maintain Travel Lane or Improper Lane Change - CO 10.16.150

Name	Place of Birth	SSN
DOB	Age	DLN
Elderly Abuse	Sex	DLN State
Injuries	Race	Occupation/Grade
Injury Weapons	Ethnicity	Employer/School
Domestic Violence	Height	Employer Address
	Weight	Employer CSZ
	Eye Color	Resident
	Hair Color	
	Facial Hair	
	Complexion	
	Build	Testify

Domestic Violence

Mitigating	Alcohol/Drug Use Suspected	PO in Effect
Circumstances		
Weapons Used	Injuries	Act of Hand, Fists, Feet
Primary Aggressor	Medical	Mutual Combatants
DV Card Given	No of Children Present (0-18)	Associated Crimes
		Arrested?

Number of Children Present

0-3 yrs	4-6 yrs	7-9 yrs	10-12 yrs	13-15 yrs	16-18 yrs
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NSBME0083



Case No: 1908060016055
Report No: 1908060016055-001
Report Date: 8/6/2019 11:29:59 AM

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Addresses

Address Type	Address	CSZ	County	Country
Phone Type	Phone Number			
Email Address				

LEOKA Information

Type Assignment Activity ORI-Other Jurisdiction

Notes

Witnesses

Other Entities

Name: Bolten, Bliss

Entity Type Carded

Name	Bolten, Bliss	DOB	Place of Birth
		Age	SSN
		Sex	DLN
		Race	DLN State
		Ethnicity	Occupation/Grade
			Registered Nurse
		Height	Employer/School
		Weight	Employer Address
		Eye Color	Employer CSZ
		Hair Color	Resident
		Facial Hair	Unknown
		Complexion	
		Build	

Addresses

Address Type	Address	CSZ	County	Country
Phone Type	Phone Number			
Email Address				

Notes

drew two vials of whole blood from L hand

Properties

Property Blood

Item No.	Evidence (Seized)	Serial Number/VIN
Status		Color
Impound Sheet	two vials of whole blood	Recovered Date
Description	Evidence (Seized)	Owner
Status		Disposition
Count	1	Evidence Tag
Value		Alert(s)
Manufacturer		
Model		
Vehicle Information		
Vehicle Type		License Number
Vehicle Year		License Exp. Date
Body Style		License State



City of North Las Vegas Police Department



Case No: 1908060016055
Report No: 1908060016055-001
Report Date: 8/6/2019 11:29:59 AM

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Color Type	Color
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Drug Information
Drug Type
Drug Quantity
Drug Measure

Notes

Narrative

On Tuesday, August 6, 2019 at about 1230 hours, I was operating as a single person patrol unit in marked vehicle #1883 and responded to the area of Marsh Tern and Clayton to assist Officer Kryszczuk, #1015, on a traffic accident.

Upon my arrival I saw a silver BMW sedan, bearing Nevada plate 245G22 on the west side of Clayton in the landscaping. It appeared the vehicle had knocked over a light pole. There was white female adult, later identified as Melissa Candrilli, sitting on the curb next to the vehicle. Candrilli admitted to driving the vehicle and that she was the only occupant. Candrilli had scrape marks on her forearms which appeared consistent with airbag deployment. Candrilli said she takes numerous medications from the V.A. For more information refer to Officer Kryszczuk's report.

I witnessed Officer Kryszczuk conduct Standardized Field Sobriety Tests (SFST's) on Candrilli. Officer Kryszczuk told me that she failed those tests and he subsequently placed her under arrest for Fail to Maintain Travel lane and DUI Alcohol/Drugs with Accident. See Officer Kryszczuk's report for further.

Candrilli consented to a blood draw and I transported her to the Las Vegas City Detention Center. While enroute to the jail Candrilli said I would pay for what I did. Candrilli said when she gets out me and my family will pay and that I did not know what a weapon was because she was in the military. I arrived at LVDC at approximately 1244 hours. At about 1302 hours, Registered Nurse B. Bolten drew two vials of whole blood from the left hand of Candrilli. I took custody of the blood and later booked it as evidence placing it in the refrigerator at the NLVPD, NWAC.

Attachments: pre-booking sheet, signed Chemical Testing Consent Form and Declaration for the Withdrawal of Whole Blood Sample.



City of North Las Vegas Police Department



Case No: 1908060016055
Report No: 1908060016055-002
Report Date: 8/6/2019 11:29:59 AM

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Phone Type	Phone Number
Email Address	

LEOKA Information

Type Assignment Activity ORI-Other Jurisdiction

Notes

Witnesses

Witness Name: Fox, Matthew

Name Fox, Matthew

DOB
Age
Sex Male
Race White
Ethnicity
Height
Weight
Eye Color
Hair Color
Facial Hair
Complexion
Build

Place of Birth
SSN
DLN
DLN State
Occupation/Grade
Employer/School
Employer Address
Employer CSZ
Resident

Addresses

Address Type	Address	CSZ	County	Country
W - Work			Clark	USA

Phones

Phone Type	Phone Number
BIZ - Business	
Emails	
Email Address	

Other Entities

Narrative

On Tuesday, 08/06/19, at approximately 1130 hours, I was dispatched to Clayton and [REDACTED] about a collision involving one vehicle into a light pole. Upon arrival NLVFD was on scene providing treatment to a female that was sitting on the ground outside of the drivers door of a crashed BMW 3 series sedan that was bearing Nevada plates of [REDACTED].

As I pulled up and was dismounting my Police Motorcycle, a fireman walked up to me and told me that the female was pretty irate and uncooperative and seemed like she was under the influence of something. I walked up and recognized her from a previous investigation I had conducted the week prior with her fiancé, Johnny Walton. She immediately recognized me and said that she would cooperate with me since I was a nice person and she liked me. She told me her name was Melissa Candrilli. I immediately knew that she lived on night owl bluff which was across the street. I took a look at the marks on the roadway as medical was still attending to her. I saw the following:

While Melissa was making the right turn from westbound Night Owl Bluff to Northbound Clayton, the BMW went out into the #1 lane on Clayton. I saw tire marks from the BMW that started in the #1 lane approximately 45 feet north of the north curb of Night Owl Bluff. These tire marks traveled from the #1 to the #2 and back across the #1 lane on Clayton covering approximately 58 feet where the front wheels of the BMW struck the center median. The BMW drove onto the center median and through the landscaping approximately 13 feet where it entered the southbound lanes of Clayton. It continued across the southbound lanes approximately 32 feet where it struck the west curb on Clayton. It drove up and over the curb into the landscaping covering approximately 9 feet where it then continued to travel south on the sidewalk while turning to the left in an arc. The BMW traveled approximately 55 feet on the sidewalk back into the landscaping where the center of the front of the BMW struck the decorative light pole, knocking it to the ground in the #2 southbound lane on Clayton. The BMW came to rest after approximately 2 feet with the front end of the BMW on top of the original location for the base of the light pole.

NSBME0086



When I re-approached Melissa, I asked her to tell me what had happened. She told me that she did not know what happened or how she got here. I told her that if she didn't know then most likely no one else would since she was the only person around at the time. She got a little angry at that but managed to tell me that she was hungry and was going to Carl's Jr. for a hamburger and she pointed north toward Deer Springs. I believe she was heading to Carl's on Aliante. She told me that the vehicle started to display a bunch of symbols on the dash and she does not know what they mean. She does not know why the vehicle spun out while she was making the right turn. Melissa told me that she left her license at the house. I asked her to verbally identify herself to me and give me her date of birth and social security number. After giving me her date of birth I asked for her social and she gave me her DOB again. I told her that I needed her social and she said that she was giving me her social and gave me her DOB again. I told her that this was her DOB and not her social and she ended up giving me her social after a minute and said that she was nervous. She was not able to give me her phone number at all. She attempted to give me a number but couldn't remember it and then threw out a bunch of numbers I could not make sense of.

Melissa said that she takes about 15 different medications prescribed to her by the VA Hospital. I asked her to tell me what medications she has been taking and for what conditions. She could not even start to tell me what medications she is currently taking. The only one she had a name for was Gabapentin and she told me that was for pain. I asked her when she last took her medications and she told me that she took them this morning. She then told me that her fiancé, Johnny took her medications from her this morning. Since Melissa was talking in circles and repeating herself multiple times along with having dilated pupils and watery eyes, I told her that I was going to have her perform a couple of tests for me. I had Melissa stand up from her sitting position on the curb. When she first attempted to stand, she fell backward, back to the curb. I reached out to her and had her grab my hand to help her stand up. I helped her walk over to the sidewalk and asked her if she needed her shoes. Melissa told me that she did not have any shoes with her, she left them at home. Once at the sidewalk, I asked Melissa some medical qualifying questions for the standardized field sobriety tests. Melissa said that she is not a diabetic or epileptic and all of her limbs are her own, no prosthetics. We had already determined that she is taking medications previously so I asked her about illegal drugs now. She told me that she does not take any illegal drugs and she did not drink today. She was not wearing any glasses even though she said she has tri focals at home. she does not wear any contact lenses either.

I put Melissa through the Horizontal gaze nystagmus test. Melissa showed all 6 clues on this test, failing this test. A different times through this test Melissa would move her head slightly while looking at my finger. I had her adjust her head a time or two to focus on my finger to assist with opening her eyes for a better view.

The next test was the walk and turn. As I was starting to position Melissa for this test she told me that she could not see. I told her that she didn't have to really see since she has control over her body and she should be able to perform this test. I told her that I would explain the test to her and she could tell me at the end if she thought she could perform the test. I explained the positioning to Melissa and then showed her how I wanted her to stand. Melissa attempted to get into position while I explained the rest of the test to her. I then explained the test to her and asked her if she was able to perform the test. She asked what would happen if she didn't perform the test. I told her that I would mark that she could not perform the test and she then said that she would do it. When Melissa began the test she walked with her hands out to her side and she did not touch heel to toe at all. Melissa took 9 steps down the line and then stopped. I explained to her that she needed to take several small steps to the left and then take nine heel to toe steps back down the line. She asked how many steps around and I told her to take several. She then asked 180 degrees and I said yes. Melissa began to take several steps and was turning more than 180 degrees when I stopped her and told her to take nine heel to toe steps down the line. She continued to walk in the same fashion with her arms straight out to the side and no heel to toe steps at all.

One she completed this test I had her get into position for the one leg stand. I had her stand with her feet together and arms down at her sides. I explained the test to her and then demonstrated it. Melissa told me that she was an athlete but she has hip flexor issues. I asked her if she had any questions about the test and she told me that she did not. I told her to begin the test and she lifted her left leg. When she lifted her leg she immediately put it back on the ground every time. I gave her eight separate attempts to get her leg in the air and hold it for the test. Melissa was not able to do this test at all.

I told Melissa that she was being placed under arrest for driving under the influence of what I believed to be her prescribed medication. I placed Melissa into handcuffs, checked them for proper fit and double locked them. I then handed Melissa off to Officer Fox who was on scene and witnessed the testing. I told Melissa that since drugs were an



issue she was going to have to a blood test. Melissa told me that she would consent to the blood test. Officer Fox searched Melissa and secured her in the backseat of his patrol vehicle. Officer Fox then transported Melissa to the Las Vegas Detention center where he booked her for driving under the influence of drugs and for failing to maintain a travel lane. While at the detention center Officer Fox witnessed the blood draw from Melissa. For more details on the blood draw refer to his follow-up report.

While on scene I spoke to Johnny Walton, the fiance to Melissa. He arrived after coming home from work to find that her vehicle had been crashed and Melissa had been arrested. I spoke to him about Melissa and the incident. Johnny verified that Melissa is taking several medications all together and this is affecting how she performs everyday activities. Johnny said that Melissa can not remember what she says or does most of the day due to these medications. Johnny admitted that he took the medications away from her this morning and he is planning on taking her to the hospital to have the meds adjusted.

I allowed the vehicle to be towed by Sunrise Towing to the house at 6146 Night Owl Bluff. I explained this to the tow driver and Johnny went home to wait for the tow and pay them for dropping it off at home. I called the City Street department and had them come out to clean up the light pole and make sure that the wires were capped off and not left live.

Attachments: prebook sheet completed by Officer Fox, citation #00443684 and DP45.

NORTH LAS VEGAS POLICE DEPARTMENT
Chemical Testing Consent Form

Officer: <u>M. Fox #1872</u>	Case # <u>1908060016055</u>
Subject: <u>CANDRILL, MELISSA</u>	Date: <u>8/6/19</u>

CHEMICAL TESTING ADMONITION

You are requested to submit to an evidentiary test or tests of your blood or breath to determine alcohol content.

You may consent to a breath test unless:

- 1) It is suspected you are under the influence of a controlled substance,
- 2) you have two prior convictions for DUI within the previous 7 years, or
- 3) if you have been involved in a collision involving death or serious bodily harm.

If you do not consent to chemical testing, I may apply for a search warrant to use reasonable force to obtain up to three blood samples from you. You do not have the right to speak to an attorney before testing.

AMONESTACIÓN DE PRUEBAS QUÍMICAS

Se le pide que se someta a una prueba o pruebas de evidencia de análisis de sangre o aliento para determinar el contenido de alcohol.

Usted puede dar su consentimiento para la prueba de aliento a menos que:

- 1) se sospeche que está bajo los efectos de una sustancia regulada,
- 2) tenga dos condenas previas por DUI dentro de los 7 años anteriores, o
- 3) si ha estado involucrado en un choque que haya causado muerte o daños corporales graves.

Si se rehúsa a dar su consentimiento para las pruebas químicas, puedo solicitar una orden de registro para usar fuerza razonable para obtener hasta tres muestras de su sangre. Usted no tiene el derecho de hablar con un abogado antes de someterse a las pruebas.

CONSENT TO SEARCH	
I, <u>MELISSA CANDRILL</u> , having been informed (Printed name of subject)	
of the chemical testing admonition, grant my consent for:	
<input type="checkbox"/> Breath testing (up to three breath samples)	
<input checked="" type="checkbox"/> Blood testing (up to three blood samples)	
Signature of subject <u>[Signature]</u>	Date <u>8/6/19</u>
Signature of officer <u>[Signature]</u>	Date <u>8/6/19</u>

CONSENTIMIENTO PARA REGISTRAR	
Yo, _____, habiendo sido (Nombre del individuo escrito con letra de imprenta.)	
informado de la amonestación de pruebas químicas, doy mi consentimiento para:	
<input type="checkbox"/> Prueba de aliento (hasta tres muestras)	
<input type="checkbox"/> Prueba de sangre (hasta tres muestras)	
Firma del individuo _____	Fecha _____
Firma del agente de policía _____	Fecha _____

- ☐ Consent declined
- ☐ Telephonic search warrant approved by Judge _____
- ☐ Exigent circumstances (summarize below; describe in detail in report)

NORTH LAS VEGAS DEPARTMENT OF DETENTION/CORRECTIONS
DECLARATION FOR THE WITHDRAWAL OF WHOLE BLOOD SAMPLE

EVENT # 1908060016055

STATE OF NEVADA)

COUNTY OF CLARK)

Bliss Bolton

(Declarant's Name)

declares.

THAT I AM A:

☒ Registered Nurse
☐ Licensed Practical Nurse
☐ Laboratory Technician/Assistant
☐ Emergency Medical Technician
☐ Nurse Practitioner
☐ Medical Doctor
☐ Other (specify)
☐ Physician Assistant

That I am employed by:

Wellpath

That a regular part of my duties is the withdrawing of blood samples from persons and I am authorized to do so by:

☒ Nevada State Board of Nursing
☐ Nevada Department of Human Resources
☐ Nevada Board of Medical Examiners

That on 8/6/19, at 1302 HRS, I withdrew a sample of whole blood in a medically

accepted manner from a person known to me as: MELISSA CANDRILL
(Defendant's Name)

And; That I withdrew the sample using no alcohol solutions or alcohol based swabs; and That I kept the sample of blood in my sole custody or control and it remained in substantially the same condition as when

I first obtained it on 8/6/19, at 1302 AM/PM, until I delivered the sample to

Officer M. Fox, P# 1872 of the NLVPD (agency).

I Bliss Bolton DO HEREBY DECLARE UNDER PENALTY OF

(PRINT DECLARANT'S NAME)

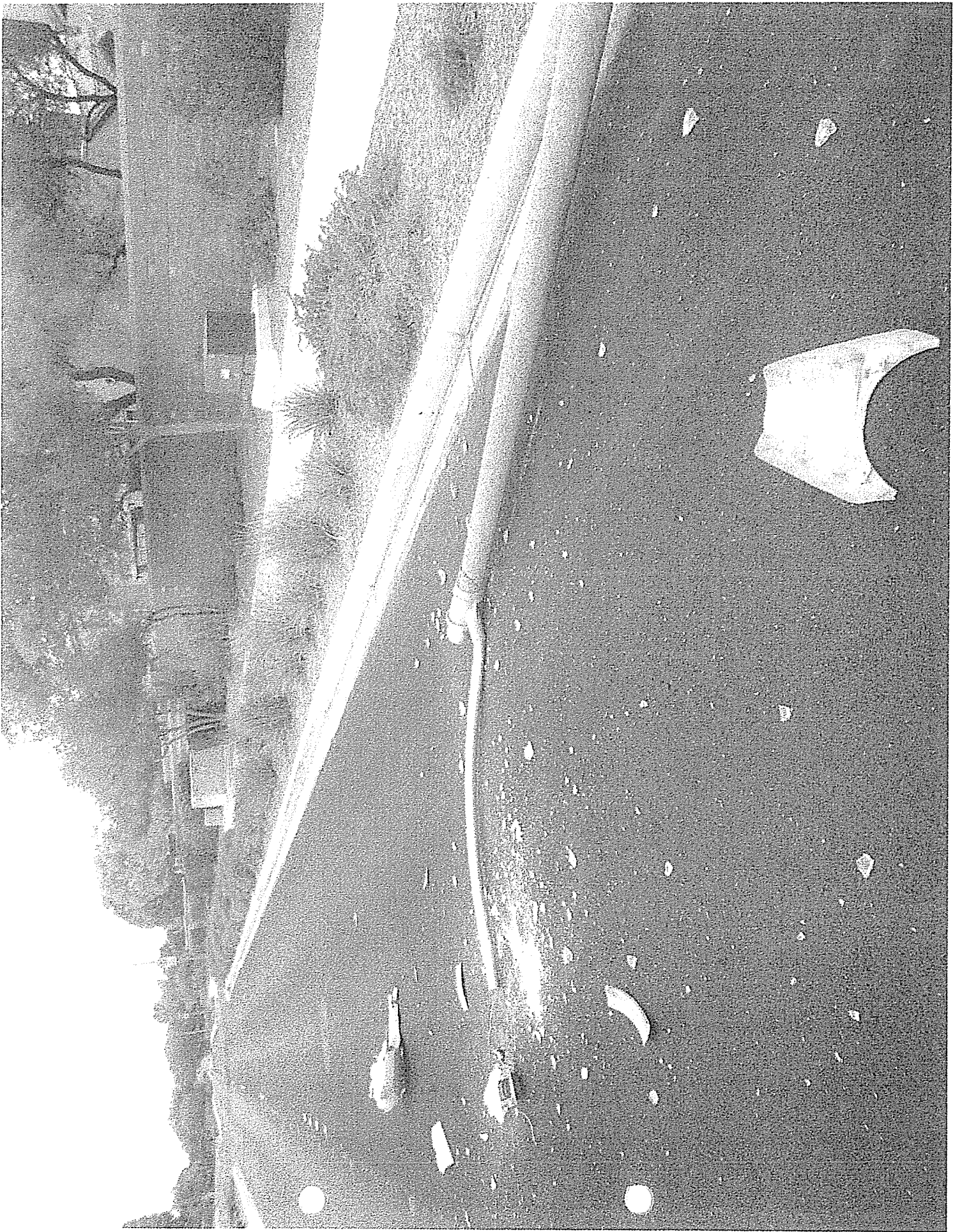
PERJURY THAT THE FOREGOING IS TRUE AND CORRECT.

Bliss Bolton RN
Declarant's Signature and Title

8/6/19
Date

1872
Witness' Signature and Number

8/6/19
Date











NSBME0095

NORTH LAS VEGAS POLICE



PAMELA OJEDA
CHIEF OF POLICE

FAX COVER SHEET

To: Molly Miller
State Board of Medical Examiners

Fax #: 775-688-2553

From: Records
North Las Vegas Police Department
North Las Vegas, Nevada

3 pages transmitted (including cover page)

Sent by: Denise Scarff, Records Manager

Phone #: 702-633-1728

Fax #: 702-649-2586

Comments: Re: Melissa Candrilli

Note: If you encounter any difficulty in receiving the total number of pages indicated above, please notify us at the phone number indicated above.

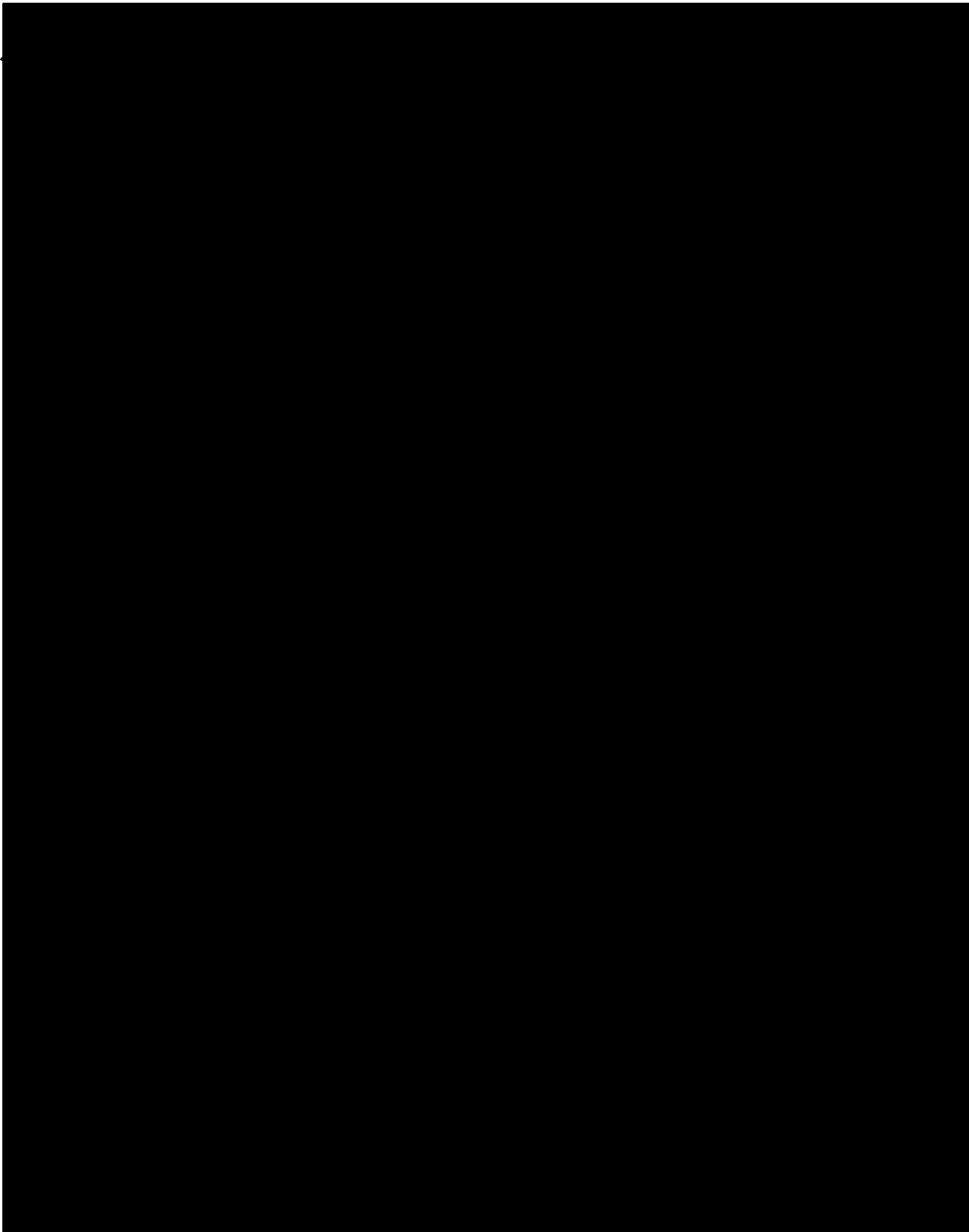
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CITY OF
NORTH LAS VEGAS
Rev. 3/08

2266 Civic Center Drive., North Las Vegas, Nevada 89030. 702.633.9111. www.cityofnorthlasvegas.com, TDD 800.326.6868

NSBME0096



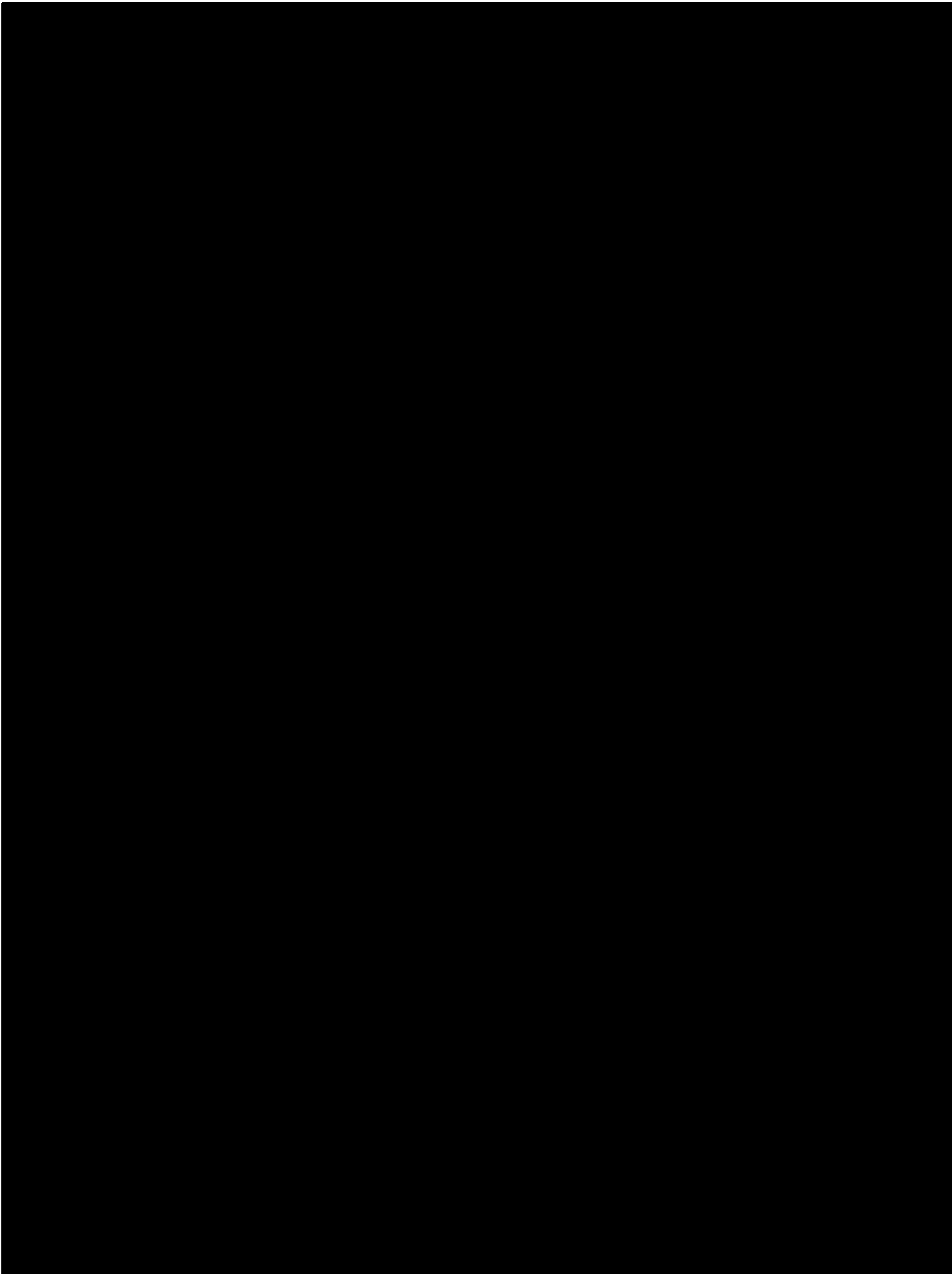


EXHIBIT 18

CR003811-19 CITY OF NORTH LAS VEGAS VS. CANDRILLI, MELISSA T

19-18575

- Case Type:
CRIMINAL NLV
- Case Status:
COURT PROGRAMS
- Case Judge:
HOEFFGEN, SEAN
- Next Event:
01/14/2020

All Information Party Charge Ticket/Citation # Event Docket Financial Receipt Additional Fields

Party Information

CANDRILLI, MELISSA T
- DEFENDANT

- DOB

o [REDACTED]

- Address

o [REDACTED]

- Phone

Alias

Party Attorney

[More Party Information](#)

Party Charge Information

- CANDRILLI, MELISSA T
- - DEFENDANT

Charge # 1:

T13001M00NV - MISDEMEANOR DUI, ABOVE LEGAL LIMIT, (1ST)

- Original Charge

o T13001M00NV DUI, ABOVE LEGAL LIMIT, (1ST) (MISDEMEANOR)

- Indicted Charge

o

- Amended Charge

o

- DV Related?

o

- Modifiers

o

- Stage Date

o

- Ticket #

o B00443684

- ATN #

o

- Tracking #

o

- Place of Offense

o CITY OF NORTH LAS VEGAS

- Offense Location

o

- Date of Offense

o 08/06/2019

- Complainant

o

Party Charge Disposition

Disposition Date

Disposition

10/07/2019

PLED NO CONTEST AT
ARRAIGNMENT/SENTENCING

[Sentencing Information](#)

- CANDRILLI, MELISSA T
- - DEFENDANT

Charge # 2:

T06010M00NL - MISDEMEANOR FAIL MAINT LANE/IMPROPER LANE CHANGE

- Original Charge

o T06010M00NL FAIL MAINT LANE/IMPROPER LANE CHANGE

- (MISDEMEANOR)

- Indicted Charge

o

- Amended Charge

o

- DV Related?

o

- Ticket #

o B00443684

- ATN #

o

- Tracking #

o

- Place of Offense

o CITY OF NORTH LAS VEGAS

- Offense Location

o

- o Modifiers
- o
- o Stage Date
- o

- o Date of Offense
- o 08/06/2019
- o Complainant
- o

Party Charge Disposition
Disposition Date
Disposition
10/07/2019
DISMISSED BEFORE TRIAL AT
ARRAIGNMENT/SENTENCING

Sentencing Information

Ticket/Citation

Citation # : B00443684 - CITY OF NORTH LAS VEGAS

- Offense Date
- 08/06/2019

- Agency
- o NORTH LAS VEGAS POLICE DEPARTMENT
- o Complainant
- o

- Speed Cited
- o
- o Speed Limit
- o 0
- o Location
- o CLAYTON ST AT NIGHT OWL BLUFF AVE
- o Insured/Proof
- o
- o Accident
- o N
- o Work Zone
- o N
- o Haz Mat
- o N
- o Points
- o
- o Priors
- o
- o License Taken
- o N
- o BAC
- o

- Plate
- o
- o State
- o NV
- o Year
- o 2011
- o Type
- o BMW
- o Style
- o
- o Color
- o SILVER \ SILVER

Events

Date/Time	Location	Type	Result	Event Judge
09/05/2019 08:00 AM	COURTROOM 2	ARRAIGNMENT	EVENT COMPLETED	DENUE, GREGORY
10/07/2019 07:00 AM	NORTH LAS VEGAS MUNICIPAL COURT	COURT PROGRAM STATUS CHECK	EVENT COMPLETED	NORTH LAS VEGAS MUNICIPAL COURT
10/07/2019 01:30 PM	COURTROOM 2	PRETRIAL	EVENT COMPLETED	SALMON, DAVID
01/14/2020 07:00 AM	NORTH LAS VEGAS MUNICIPAL COURT	COURT PROGRAM STATUS CHECK		NORTH LAS VEGAS MUNICIPAL COURT

Docket Information

Date	Description	Docket Text	Amount Owed	File Ref Nbr.	Amount Due
08/06/2019	SURETY BOND FILED	SURETY BOND FILED Arrest Bond Added to Case with: Action Code: DUI, ABOVE LEGAL LIMIT, (1ST) Arrest Date: 08/06/2019 Bond Status: ACTIVE BOND Status Date: 08/07/2019 Blanket Bond: No Okay to Apply: No Bond Type: SURETY BOND Bond Amount: 3338 Bond/Pwr No.: AS6K-659087 Bonding Co.: AGUAYO BAIL BONDS Insurance Co.: ALLEGHENY CASUALTY COMPANY			
08/06/2019	DEFENDANT ARRESTED/IN-CUSTODY	DEFENDANT ARRESTED/IN-CUSTODY			
08/07/2019	DEFENDANT RELEASED FROM DETENTION	DEFENDANT RELEASED FROM DETENTION			
08/07/2019	HEARING SCHEDULED	HEARING SCHEDULED Event: ARRAIGNMENT Date: 09/05/2019 Time: 8:00 am Judge: HOFFGEN, SEAN Location: COURTROOM 2 Result: EVENT COMPLETED			
08/08/2019	MISC NOTES:	MISC NOTES: BOND\$ ON CASE#PC320-19			
09/05/2019	PLED NOT GUILTY	PLED NOT GUILTY Charge #2: FAIL MAINT LANE/IMPROPER LANE CHANGE			
09/05/2019	PLED NOT GUILTY	PLED NOT GUILTY Charge #1: DUI, ABOVE LEGAL LIMIT, (1ST)			
09/05/2019	DEFENDANT'S ATTORNEY PRESENT	DEFENDANT'S ATTORNEY PRESENT CHRISTIANSEN ESQ, PETER J.			
09/05/2019	CONTINUE COURT DATE	CONTINUE COURT DATE PT			
09/05/2019	EVENT COMPLETED	EVENT COMPLETED The following event: ARRAIGNMENT scheduled for 09/05/2019 at 8:00 am has been resulted as follows: Result: EVENT COMPLETED Judge: DENUE, GREGORY Location: COURTROOM 2			
09/05/2019	PRESIDING JUDGE AND STAFF ATTENDING IN-COURT	PRESIDING JUDGE AND STAFF ATTENDING IN-COURT Court Location: COURTROOM 2 Check In: Judge: DENUE, GREGORY Location: COURTROOM 2 Staff: CASTERLINE, MARY ELLEN - COURT CLERK 3: Present EASTMAN, MIRIAM - COURT CLERK 3: Present MATEER, AMANDA R - DEPUTY CITY ATTORNEY: Present PELAS, VERONICA - INTERPRETER: Present Prosecutors: CITY ATTORNEY: Present Parties:			
09/05/2019	PRETRIAL HEARING SCHEDULED:	PRETRIAL HEARING SCHEDULED: Event: PRETRIAL Date: 10/07/2019 Time: 1:30 pm Judge: HOFFGEN, SEAN Location: COURTROOM 2			
10/07/2019	CHARGE DISMISSED	CHARGE DISMISSED Charge #2: FAIL MAINT LANE/IMPROPER LANE CHANGE			

<u>Date</u>	<u>Description</u>	<u>Docket Text</u>	<u>Amount Owed</u>	<u>File Ref Nbr.</u>	<u>Amount Due</u>
10/07/2019	MANDATORY TRAFFIC SCHOOL LEVEL 2	MANDATORY TRAFFIC SCHOOL EIGHT HOUR Charge #1: DUI, ABOVE LEGAL LIMIT, (1ST)			
10/07/2019	PLED NOLO	PLED NOLO Charge #1: DUI, ABOVE LEGAL LIMIT, (1ST)			
10/07/2019	SENTENCE SERVED IN CUSTODY	SENTENCE SERVED IN CUSTODY 2 DAYS Charge #1: DUI, ABOVE LEGAL LIMIT, (1ST)			
10/07/2019	SUSPENDED SENTENCE	SUSPENDED SENTENCE 170 DAYS Charge #1: DUI, ABOVE LEGAL LIMIT, (1ST)			
10/07/2019	VICTIM IMPACT PANEL	VICTIM IMPACT PANEL Charge #1: DUI, ABOVE LEGAL LIMIT, (1ST)			
10/07/2019	\$3 GENETIC MARKER TESTING FEE	\$3 GENETIC MARKER TESTING FEE Charge #1: DUI, ABOVE LEGAL LIMIT, (1ST) Receipt: 2314632 Date: 10/07/2019	\$3.00		\$0.00
10/07/2019	\$5 ADMINISTRATIVE ASSESSMENT - GEN FUND	\$5 ADMINISTRATIVE ASSESSMENT - GEN FUND Charge #1: DUI, ABOVE LEGAL LIMIT, (1ST) Receipt: 2314632 Date: 10/07/2019	\$5.00		\$0.00
10/07/2019	\$7 SPECIALTY COURT FEE ASSESSED	\$7 SPECIALTY COURT FEE Charge #1: DUI, ABOVE LEGAL LIMIT, (1ST) Receipt: 2314632 Date: 10/07/2019	\$7.00		\$0.00
10/07/2019	\$10 COURT FACILITIES FEE ASSESSED	\$10 COURT FACILITIES FEE ASSESSED Charge #1: DUI, ABOVE LEGAL LIMIT, (1ST) Receipt: 2314632 Date: 10/07/2019	\$10.00		\$0.00
10/07/2019	ORDERED TO PAY THE FEE FOR CHEMICAL ANALYSIS	ORDERED TO PAY THE FEE FOR CHEMICAL ANALYSIS Charge #1: DUI, ABOVE LEGAL LIMIT, (1ST) Receipt: 2314632 Date: 10/07/2019	\$60.00		\$0.00
10/07/2019	\$115 ADMINISTRATIVE ASSESSMENT	\$115 ADMINISTRATIVE ASSESSMENT Charge #1: DUI, ABOVE LEGAL LIMIT, (1ST) Receipt: 2314632 Date: 10/07/2019	\$115.00		\$0.00
10/07/2019	\$750 FINE/BAIL ASSESSED	\$750 FINE/BAIL ASSESSED Charge #1: DUI, ABOVE LEGAL LIMIT, (1ST) Receipt: 2314632 Date: 10/07/2019	\$750.00		\$0.00
10/07/2019	DEFENDANT'S ATTORNEY PRESENT	DEFENDANT'S ATTORNEY PRESENT CHRISTIANSON #1656			
10/07/2019	ORDERED TO ATTEND DRUG/ALCOHOL SCHOOLS	ORDERED TO ATTEND DRUG/ALCOHOL SCHOOLS			
10/07/2019	BLOOD ALCOHOL LEVEL	BLOOD ALCOHOL LEVEL IMPAIRMENT THEORY			
10/07/2019	COURT PROGRAM STATUS CHECK	COURT PROGRAM STATUS CHECK AR-100 30 DAYS OR PAY IN FULL TODAY			
10/07/2019	COURT PROGRAMS	COURT PROGRAMS			
10/07/2019	COURT PROGRAM STATUS CHECK	COURT PROGRAM STATUS CHECK Event: COURT PROGRAM STATUS CHECK Date: 10/07/2019 Time: 7:00 am Judge: NORTH LAS VEGAS MUNICIPAL COURT Location: NORTH LAS VEGAS MUNICIPAL COURT			
10/07/2019	EVENT COMPLETED	EVENT COMPLETED The following event: PRETRIAL scheduled for 10/07/2019 at 1:30 pm has been resulted as follows: Result: EVENT COMPLETED Judge: SALMON, DAVID Location: COURTROOM 2			
10/07/2019	PRESIDING JUDGE AND STAFF ATTENDING IN-COURT	PRESIDING JUDGE AND STAFF ATTENDING IN-COURT Court Location: COURTROOM 2 Check In: Judge: SALMON, DAVID Location: COURTROOM 2 Staff: CURIEL, LISA - COURT CLERK 3: Present EASTMAN, MIRIAM - COURT CLERK 3: Present			

<u>Date</u>	<u>Description</u>	<u>Docket Text</u>	<u>Amount</u> <u>Owed</u>	<u>File</u> <u>Ref</u> <u>Nbr.</u>	<u>Amount</u> <u>Due</u>
		GOSWAMI, DEEP - DEPUTY CITY ATTORNEY: Present MATEER, AMANDA R - DEPUTY CITY ATTORNEY: Present PALOMO, GUILLERMO - INTERPRETER: Present PELAS, VERONICA - INTERPRETER: Present Prosecutors: CITY ATTORNEY: Present MATEER, AMANDA R: Present Parties:			
10/07/2019	BOND EXONERATED	BOND EXONERATED			
10/07/2019	EVENT COMPLETED	EVENT COMPLETED The following event: COURT PROGRAM STATUS CHECK scheduled for 10/07/2019 at 7:00 am has been resulted as follows: Result: EVENT COMPLETED Judge: NORTH LAS VEGAS MUNICIPAL COURT Location: NORTH LAS VEGAS MUNICIPAL COURT			
10/07/2019	COURT PROGRAM STATUS CHECK	COURT PROGRAM STATUS CHECK Event: COURT PROGRAM STATUS CHECK Date: 01/14/2020 Time: 7:00 am Judge: NORTH LAS VEGAS MUNICIPAL COURT Location: NORTH LAS VEGAS MUNICIPAL COURT			

Financial Summary

<u>Cost Type</u>	<u>Amount Owed</u>	<u>Amount Paid</u>	<u>Amount Adjusted</u>	<u>Amount Outstanding</u>
AA FEE	\$120.00	\$120.00	\$0.00	\$0.00
FEE	\$80.00	\$80.00	\$0.00	\$0.00
FINE	\$750.00	\$750.00	\$0.00	\$0.00
Total	Total	Total	Total	Total
	\$950.00	\$950.00	\$0.00	\$0.00

Receipts

<u>Receipt Number</u>	<u>Receipt Date</u>	<u>Received From</u>	<u>Payment Amount</u>
2314632	10/07/2019	CANDRILLI, MELISSA T	\$950.00
Total	Total	Total	Total
			\$950.00

Additional Fields

EXHIBIT 19

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

In the Matter of the Investigation) Inv. Case No. 19-18575
)
of)
)
MELISSA T. CANDRILLI, RRT)
)
License No. RC1511.)
)

TO: Melissa T. Candrilli, RRT

IT IS HEREBY ORDERED, pursuant to NAC 630.550, the IC having reason to believe that the conduct of Melissa T. Candrilli, RRT, has raised a reasonable question as to her competence to practice as a practitioner of respiratory care with reasonable skill and safety to patients, the IC hereby orders Melissa T. Candrilli, RRT to undergo an examination testing her mental and physical competence to practice as a practitioner of respiratory care and to determine her fitness to practice as a practitioner of respiratory care. Further, Ms. Candrilli shall comply with the recommendations of the examiner.

///

///

1 **IT IS FURTHER ORDERED** that, you shall report on Friday, December 13, 2019, at
2 12:00pm, report to Larry Espadero, LADC, located at Montevista Hospital, 6000 W. Rochelle
3 Avenue, Las Vegas, NV, 89103, Phone: 702-251-1377. Please bring a list of all of your currently
4 prescribed medications.

- 5 1. Pursuant to NAC 630.550(5), you shall directly pay Mr. Espadero for services rendered in
6 furtherance of this Order.
- 7 2. Pursuant to NAC 630.550(3), the Report regarding your examination is not a privileged
8 communication and will be distributed, as required, to the IC and the Board.
- 9 3. Pursuant to NAC 630.550(4), except in extraordinary circumstances, your failure to
10 comply with this Order constitutes an admission of the charges against you. Furthermore,
11 a default and final order may be entered against you without the taking of testimony or
12 presentation of evidence.
- 13 4. Pursuant to NRS 629.061, you are entitled to a copy of the aforementioned report and
14 must request said copy directly from Mr. Espadero.

15
16 **IT IS FURTHER ORDERED** that, your failure to abide by this Order is a violation of the
17 provisions of NRS 630.3065(2)(a), which states in part, that knowing or willful failure to abide by
18 an order of the Board or an investigative committee of the Board constitutes grounds for initiating
19 disciplinary action.

20
21 Dated this 3rd day of December 2019.

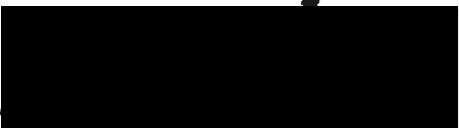
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23
24 
25 Rachakonda Prabhu, M.D.,
26 Chairman of the Investigative Committee of the Board
27
28

EXHIBIT 20

1
2 **IN THE INVESTIGATIVE COMMITTEE OF THE NEVADA STATE BOARD OF MEDICAL EXAMINERS**
3 **IN AND FOR THE COUNTY OF WASHOE**

4 **IN THE MATTER OF THE INVESTIGATION OF**
5 **MELISSA T CANDRILLI, RRT,**

6 Plaintiff(s),

CASE NO: 19-18575

7 VS.

8 Defendant(s),

9 **DECLARATION OF SERVICE**

10 **STATE OF NEVADA**
11 **COUNTY OF Clark**

ss.:

12 **JOHN WHITE**, being duly sworn says: That at all times herein Affiant was and is a citizen of the United States, over 18 years of age, and not a party to nor interested in the proceedings in which this Affidavit is made.

13 That Affiant received copy(ies) of the **Order for Competency Evaluation and Fitness to Practice** On 12/3/2019 and served the same on 12/5/2019 at 2:18 PM by delivery and leaving a copy with:

14 1. Delivering and leaving a copy with **Melissa T. Candrilli, RRT** at [REDACTED]

15 **A description of Melissa T. Candrilli, RRT is as follows**

Gender	Color of Skin/Race	Hair	Age	Height	Weight
Female	White	Brown	46-50	5'7 - 6'0	141-160 Lbs

16 Pursuant to NRS 239B.030 this document does not contain the social security number of any person.

17 Affiant does hereby affirm under penalty of perjury under the law of the State of Nevada that the foregoing is true and correct.

18 Executed on: 12/5/2019

19 by JOHN WHITE

20 Registration: R-2019-00318

21 No notary is required per NRS 53.045

22 X

23 **JOHN WHITE**

24 Registration: R-2019-00318

25 Reno Carson Messenger Service, Inc #322

26 185 Martin St.

27 Reno, NV 89509

(775) 322-2424

28 www.renocarson.com



Order#: C23098 NVPRF411

EXHIBIT 21

PRN

702-251-1377

12/16/19

To: Nevada Board of Medicine

Re: Melissa Candrilli RRT

Board Members

This to inform you of the results of my assessment of Mr. Candrilli completed on 12/13/19.

The client is a 47-year-old single female RRT. The patient was referred due to showing up at work under the influence of alcohol (BAL of .181). she was also under the influence 7/24/19 when arrested for obstruction of a Public officer. And on 8/6/19 arrested for DUI (BAL.306).

She was here two hours early for her appointment and was very tremulous and pallid. High anxiety noted.

Drug/Alcohol Iix

She states her last drink was last night wine half a glass about midnight. Breathalyzer test showed BAL .003 which would be considered residue in normal cases, but it is a long time for it to still be in the system. she has a history of Hep "Which could prolong the metabolism. She was unable to complete a urine screen at this time. She openly admits she is Alcoholic

Legal

States other the three events mentioned above there have been no other legal events.

Family History

The client was raised by both parents. There is history of Chemical abuse or Psych issues in the family. Mother Alcohol and Bi-Polar. She was married for one year and is divorced with no children. Currently lives with boy friend

Military History

The patient was in the Army for five years 1990-1995 served as military police and received an Honorable discharge.

Treatment

The client states she completed a Rehab program with the VA but did not follow up with any support systems hence relapsed.

Testing

12 panel urine screens not completed

Breathalyzer .003

SASSI-# Not complete due to Patients condition.

Medications

Lexapro

Mental status

She appears her stated age, thought form coherently fair. The patient denies any suicidal ideations. She denies any homicidal ideations. She denies any hallucinations or delusions...Cognitively the patient is alertness to person place and time fair. Intelligence is average based on education and vocabulary. Abstract thinking is poor at times. She has PTSD from sexual abuse (Grandfather) and Physical abuse(ex-boyfriend).

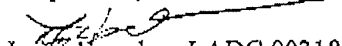
Summary

The client was disheveled Pallid and tremulous, a lot of anxiety and poor historian. She admits to being alcoholic and although her memory is poor to the incidents she does not dispute the. This could be from blackouts or selective memory. She is in poor psychological shape and may need detox. This patient is not currently fit to practice

Recommendation

That Mr. Candrilli be placed in the PRN program for five years to assure her continued abstinence from All mood-altering chemicals. It is also recommended that based upon her condition she has been referred to the VA for medical evaluation. She has been given a blank copy of the contract and is to contact me this week. When she is more stable, we can complete a Psychiatric evaluation.

Respectfully Submitted


Larry Espadero LADC 00318
Program Director




William Bauer M.D.
Medical Director

EXHIBIT 22

1 **INVESTIGATIVE COMMITTEE OF THE**
2 **NEVADA STATE BOARD OF MEDICAL EXAMINERS**

3 * * * * *

4
5 **In the Matter of the Investigation**
6 **of**
7 **MELISSA TERESA CANDRILLI, RRT,**
8 **License No. RC1511.**
9

FILED
DEC 19 2019
NEVADA STATE BOARD OF
MEDICAL EXAMINERS
By: 

10 **ORDER OF SUMMARY SUSPENSION**

11 The Investigative Committee¹ (IC) of the Nevada State Board of Medical Examiners (Board)
12 hereby **IMMEDIATELY SUMMARILY SUSPENDS** the license of
13 Melissa Teresa Candrilli, RRT (Licensee) from the practice of respiratory therapy, pursuant to the
14 Board's authority to regulate the practice of respiratory therapy in Nevada pursuant to Nevada
15 Revised Statutes (NRS) Chapter 630.

16 The IC issues this Order of Summary Suspension (Order) based on its determination that
17 Licensee's acts put the health, safety or welfare of the public at risk of imminent harm pursuant to
18 NRS 630.326(1).

19 Prior to the preparation of this Order, Board staff presented to the IC the following:

- 20 1. Licensee is a respiratory therapist (RC1511) licensed to practice in Nevada.

21 ///

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23 ///

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27
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¹ The Investigative Committee of the Nevada State Board of Medical Examiners is composed of Board members Rachakonda D. Prabhu, M.D., Chairman, Victor M. Muro, M.D., and Ms. April Mastroluca.

2. Pursuant to NAC 630.540, a practitioner of respiratory care is subject to discipline or denial of licensure by the Board if, after notice and hearing in accordance with NAC Chapter 630, the Board finds that the practitioner of respiratory care:

1. Willfully and intentionally made a false or fraudulent statement or submitted a forged or false document in applying for a license or renewing a license.

...

4. Disobeyed any order of the Board or an investigative committee of the Board or violated a provision of this chapter.

5. Is not competent to provide respiratory care services.

6. Lost his or her certification by the National Board for Respiratory Care or its successor organization.

7. Failed to notify the Board of loss of certification by the National Board for Respiratory Care or its successor organization.

...

9. Rendered respiratory care to a patient while under the influence of alcohol or any controlled substance or in any impaired mental or physical condition.

...

23. Violated any provision that would subject a practitioner of medicine to discipline pursuant to NRS 630.301 to 630.3065, inclusive, or NAC 630.230.

3. Pursuant to NRS 630.254, each licensee of the Board shall maintain a permanent mailing address with the Board to which all communications from the Board to the licensee must be sent. A licensee who changes his or her permanent mailing address shall notify the Board in writing of the new permanent mailing address within 30 days after the change. If a licensee fails to notify the Board in writing of a change in his or her permanent mailing address within 30 days after the change, the Board may impose a fine and initiate disciplinary action against the licensee as provided pursuant NRS 630.306(1)(j).

4. On May 31, 2018, Licensee's certification as a respiratory therapist by the National Board for Respiratory Care (NBRC) expired.

5. Licensee did not notify the Board of the expiration of her NBRC certification.

6. On June 6, 2018, the Board suspended Licensee's license to practice respiratory care due to the expiration of her NBRC certification.

7. On June 11, 2018, an Order of Suspension was mailed to Licensee's address on record,

1 which Order was returned to the Board as “unclaimed.”

2 8. On June 26, 2018, the Board reinstated Licensee’s license to practice respiratory care
3 upon being provided proof of renewal of her NBRC certification.

4 9. On information and belief, on or about January 21, 2019, Licensee reported to work at
5 the Complex Care Hospital at Tenaya (CCHT) under the influence of alcohol. Supervisory staff of
6 CCHT requested, and Licensee submitted to, a breathalyzer test.

7 10. On or about January 25, 2019, Licensee was notified by CCHT staff that she was
8 suspended from duty as a respiratory therapist pending the results of an investigation of allegations of
9 being under the influence of alcohol during work hours.

10 11. On information and belief, Licensee’s employment was subsequently terminated by
11 CCHT.

12 12. On or about June 28, 2019, Licensee submitted to the Board a biennial license renewal
13 application (Application).

14 13. On the Application, Licensee denied that during the period of July 1, 2017, through
15 July 1, 2019, she had been “. . . a) asked to respond to an investigation; b) notified that you were under
16 investigation for; c) investigated for . . . any violation of a statute, rule or regulation governing your
17 practice as a practitioner of respiratory care by any . . . hospital” Licensee answered “no” to the
18 inquiry, and thereby failed to report on her Application that she had been under investigation by
19 CCHT for allegations of being under the influence of alcohol during work hours, which would be a
20 violation of, including but not limited to, NAC 630.540(9).

21 14. On information and belief, Licensee’s failure to report on her Application the CCHT
22 investigation, involving a possible violation of NAC 630.540(9), was willful and intentional.

23 15. On or about July 24, 2019, Licensee was arrested by the North Las Vegas Police
24 Department for a misdemeanor charge of providing a false statement/obstruction of a public officer.
25 The police had been called for a possible case of domestic violence. At the time she was arrested, the
26 police observed Licensee to be inebriated. Licensee’s fiancée was arrested due to an outstanding
27 warrant, and Licensee then became verbally and physically aggressive with the police officers.

28 16. On or about August 26, 2019, Licensee pled no contest to the aforementioned charge

1 and paid fees and a fine totaling \$405.

2 17. On or about August 6, 2019, Licensee was again arrested by the North Las Vegas
3 Police Department for a misdemeanor charge of driving under the influence (DUI), first offense, and a
4 misdemeanor charge of failure to maintain lane/improper lane change.

5 18. On or about October 7, 2019, Licensee pled no contest to the DUI charge and was
6 ordered to attend a mandated drug and alcohol program. The failure to maintain lane charge was
7 dismissed.

8 19. On December 3, 2019, pursuant to NAC 630.550, the IC issued to Licensee an Order
9 for Competency Evaluation and Fitness To Practice (Order), whereby Licensee was ordered to
10 undergo an evaluation at 12:00 noon on December 13, 2019, at Montevista Hospital at 5900 W.
11 Rochelle Avenue, Las Vegas, NV 89103.

12 20. Licensee was personally served with the Order on December 5, 2019.

13 21. On December 13, 2019, Licensee met with Larry Espadero, LADC, and underwent an
14 evaluation as ordered.

15 22. On December 16, 2019, Mr. Espadero communicated his report to the Board, wherein
16 he opined that Licensee was unfit to practice.

17 23. Based on the foregoing, the IC finds that the health, safety and welfare of the
18 public is at imminent risk of harm if Licensee is permitted to continue practicing, and that an
19 immediate summary suspension of Licensee's license in the State of Nevada is necessary for the
20 protection of the public. NRS 630.326(1).

21 ///

22 ///

23 ///

ORDER

IT IS HEREBY ORDERED that the license of Melissa Teresa Candrilli, RRT (RC1511) is **SUMMARILY SUSPENDED** until further order of the IC or Board, and Licensee is prohibited from engaging in any acts that constitute the practice of respiratory therapy; and

IT IS FURTHER ORDERED that a hearing on this matter is set for the **18th day of February, 2020, at 9:30 a.m.,** at the Board's office located at 9600 Gateway Drive, Reno, NV 89521, to determine whether this suspension may continue, unless the parties mutually agree in writing to a different time. NRS 630.326(2).

DATED this 19th day of December, 2019.

INVESTIGATIVE COMMITTEE OF THE
NEVADA STATE BOARD OF MEDICAL EXAMINERS

By: _____

Rachakonda D. Prabhu, M.D., Chairman

EXHIBIT 23

BEFORE THE BOARD OF MEDICAL EXAMINERS
OF THE STATE OF NEVADA

* * * * *

In the Matter of Charges and Complaint
Against
MELISSA TERESA CANDRILLI, RRT,
Respondent.

Case No. 19-33868-1

FILED

DEC 23 2019

NEVADA STATE BOARD OF
MEDICAL EXAMINERS

By: 

PROOF OF SERVICE

COMPLAINT AND ORDER OF SUMMARY SUSPENSION

1
2 **IN THE INVESTIGATIVE COMMITTEE OF THE NEVADA STATE BOARD OF MEDICAL EXAMINERS**
3 **IN AND FOR THE COUNTY OF WASHOE**

4 **IN THE MATTER OF THE INVESTIGATION OF**
5 **MELISSA T CANDRILLI, RRT,**

6 Plaintiff(s),

CASE NO: 19-33868-1

7 VS.

8 Defendant(s),

9 **DECLARATION OF SERVICE**

10 STATE OF NEVADA

11 COUNTY OF Clark

ss.:

12 **CHRISTOPHER MICHAEL SARTIN**, being duly sworn says: That at all times herein Affiant was and is a citizen of the
13 United States, over 18 years of age, and not a party to nor interested in the proceedings in which this Affidavit is made.

14 That Affiant received copy(ies) of the On 12/20/2019 and served the same on 12/20/2019 at 7:54 PM by delivery and
15 leaving a copy with:

16 1. Delivering and leaving a copy with **Melissa T. Candrilli, RRT** at [REDACTED]

17 A description of **Melissa Candrilli** is as follows

Gender	Color of Skin/Race	Hair	Age	Height	Weight
Female	White	Brown	48	5'5	165

18 Pursuant to NRS 239B.030 this document does not contain the social security number of any person.

19 Affiant does hereby affirm under penalty of perjury under the law of the State of Nevada that the
20 foregoing is true and correct.

21 Executed on: 12/23/2019

22 by **CHRISTOPHER MICHAEL SARTIN**

23 Registration: R-096440

24 No notary is required per NRS 53.045

25 X

26 **CHRISTOPHER MICHAEL SARTIN**

Registration: R-096440

Reno Carson Messenger Service, Inc #322

185 Martin St

Reno, NV 89509



(775) 322-2424

www.renocarson.com



Order#: C23313 NVPRF411

NSBME0115

NEVADA STATE BOARD OF MEDICAL EXAMINERS 9600 Gateway Dr Reno, NV 895218953		Brought to you by: Reno/Carson Messenger Service Inc 	
	GPS: 36.28055555555556;-115.17055555555556		(775) 322-2424 Server: CHRISTOPHER MICHAEL SARTIN
			CASE NUMBER: 19-33868-1
SUMMARY OF SERVICE		Reference No.: CANDRILLI	JOB COMPLETE C23313

DOCUMENTS SERVED: Complaint, Order of Summary Suspension, and fingerprints;

PARTY SERVED: Melissa T. Candrilli, RRT

BY LEAVING WITH: Melissa Candrilli,

PHYSICAL DESCRIPTION: Age: 48 Weight: 165 Hair: Brown
 Sex: Female Height: 5'5 Race: White

DATE & TIME OF SERVICE: 12/20/2019
 7:54 PM

ADDRESS, CITY, AND STATE: [REDACTED]
 [REDACTED]

COMPLETED BY CHRISTOPHER MICHAEL SARTIN reg#: R-096440

SUMMARY OF SERVICE
CANDRILLI

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NEVADA STATE BOARD OF
MEDICAL EXAMINERS
By: _____

1 of 5

2. Pursuant to NAC 630.540, a practitioner of respiratory care is subject to discipline or denial of licensure by the Board if, after notice and hearing in accordance with NAC Chapter 630, the Board finds that the practitioner of respiratory care:

1. Willfully and intentionally made a false or fraudulent statement or submitted a forged or false document in applying for a license or renewing a license.

...

4. Disobeyed any order of the Board or an investigative committee of the Board or violated a provision of this chapter.

5. Is not competent to provide respiratory care services.

6. Lost his or her certification by the National Board for Respiratory Care or its successor organization.

7. Failed to notify the Board of loss of certification by the National Board for Respiratory Care or its successor organization.

...

9. Rendered respiratory care to a patient while under the influence of alcohol or any controlled substance or in any impaired mental or physical condition.

...

23. Violated any provision that would subject a practitioner of medicine to discipline pursuant to NRS 630.301 to 630.3065, inclusive, or NAC 630.230.

3. Pursuant to NRS 630.254, each licensee of the Board shall maintain a permanent mailing address with the Board to which all communications from the Board to the licensee must be sent. A licensee who changes his or her permanent mailing address shall notify the Board in writing of the new permanent mailing address within 30 days after the change. If a licensee fails to notify the Board in writing of a change in his or her permanent mailing address within 30 days after the change, the Board may impose a fine and initiate disciplinary action against the licensee as provided pursuant NRS 630.306(1)(j).

4. On May 31, 2018, Licensee's certification as a respiratory therapist by the National Board for Respiratory Care (NBRC) expired.

5. Licensee did not notify the Board of the expiration of her NBRC certification.

6. On June 6, 2018, the Board suspended Licensee's license to practice respiratory care due to the expiration of her NBRC certification.

7. On June 11, 2018, an Order of Suspension was mailed to Licensee's address on record,

1 which Order was returned to the Board as “unclaimed.”

2 8. On June 26, 2018, the Board reinstated Licensee’s license to practice respiratory care
3 upon being provided proof of renewal of her NBRC certification.

4 9. On information and belief, on or about January 21, 2019, Licensee reported to work at
5 the Complex Care Hospital at Tenaya (CCHT) under the influence of alcohol. Supervisory staff of
6 CCHT requested, and Licensee submitted to, a breathalyzer test.

7 10. On or about January 25, 2019, Licensee was notified by CCHT staff that she was
8 suspended from duty as a respiratory therapist pending the results of an investigation of allegations of
9 being under the influence of alcohol during work hours.

10 11. On information and belief, Licensee’s employment was subsequently terminated by
11 CCHT.

12 12. On or about June 28, 2019, Licensee submitted to the Board a biennial license renewal
13 application (Application).

14 13. On the Application, Licensee denied that during the period of July 1, 2017, through
15 July 1, 2019, she had been “. . . a) asked to respond to an investigation; b) notified that you were under
16 investigation for; c) investigated for . . . any violation of a statute, rule or regulation governing your
17 practice as a practitioner of respiratory care by any . . . hospital” Licensee answered “no” to the
18 inquiry, and thereby failed to report on her Application that she had been under investigation by
19 CCHT for allegations of being under the influence of alcohol during work hours, which would be a
20 violation of, including but not limited to, NAC 630.540(9).

21 14. On information and belief, Licensee’s failure to report on her Application the CCHT
22 investigation, involving a possible violation of NAC 630.540(9), was willful and intentional.

23 15. On or about July 24, 2019, Licensee was arrested by the North Las Vegas Police
24 Department for a misdemeanor charge of providing a false statement/obstruction of a public officer.
25 The police had been called for a possible case of domestic violence. At the time she was arrested, the
26 police observed Licensee to be inebriated. Licensee’s fiancée was arrested due to an outstanding
27 warrant, and Licensee then became verbally and physically aggressive with the police officers.

28 16. On or about August 26, 2019, Licensee pled no contest to the aforementioned charge

1 and paid fees and a fine totaling \$405.

2 17. On or about August 6, 2019, Licensee was again arrested by the North Las Vegas
3 Police Department for a misdemeanor charge of driving under the influence (DUI), first offense, and a
4 misdemeanor charge of failure to maintain lane/improper lane change.

5 18. On or about October 7, 2019, Licensee pled no contest to the DUI charge and was
6 ordered to attend a mandated drug and alcohol program. The failure to maintain lane charge was
7 dismissed.

8 19. On December 3, 2019, pursuant to NAC 630.550, the IC issued to Licensee an Order
9 for Competency Evaluation and Fitness To Practice (Order), whereby Licensee was ordered to
10 undergo an evaluation at 12:00 noon on December 13, 2019, at Montevista Hospital at 5900 W.
11 Rochelle Avenue, Las Vegas, NV 89103.

12 20. Licensee was personally served with the Order on December 5, 2019.

13 21. On December 13, 2019, Licensee met with Larry Espadero, LADC, and underwent an
14 evaluation as ordered.

15 22. On December 16, 2019, Mr. Espadero communicated his report to the Board, wherein
16 he opined that Licensee was unfit to practice.

17 23. Based on the foregoing, the IC finds that the health, safety and welfare of the
18 public is at imminent risk of harm if Licensee is permitted to continue practicing, and that an
19 immediate summary suspension of Licensee's license in the State of Nevada is necessary for the
20 protection of the public. NRS 630.326(1).

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ORDER

IT IS HEREBY ORDERED that the license of Melissa Teresa Candrilli, RRT (RC1511) is **SUMMARILY SUSPENDED** until further order of the IC or Board, and Licensee is prohibited from engaging in any acts that constitute the practice of respiratory therapy; and

IT IS FURTHER ORDERED that a hearing on this matter is set for the **18th day of February, 2020, at 9:30 a.m.,** at the Board's office located at 9600 Gateway Drive, Reno, NV 89521, to determine whether this suspension may continue, unless the parties mutually agree in writing to a different time. NRS 630.326(2).

DATED this 19th day of December, 2019.

INVESTIGATIVE COMMITTEE OF THE
NEVADA STATE BOARD OF MEDICAL EXAMINERS

By: _____

Rachakonda D. Prabhu, M.D., Chairman

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

* * * * *

**In the Matter of Charges and Complaint
Against
MELISSA TERESA CANDRILLI, RRT,
Respondent.**

Case No. 19-33868-1

FILED

DEC 19 2019

NEVADA STATE BOARD OF
MEDICAL EXAMINERS
By: 

COMPLAINT

The Investigative Committee¹ (IC) of the Nevada State Board of Medical Examiners (Board), by and through Aaron Bart Fricke, Esq., Deputy General Counsel and attorney for the IC, having a reasonable basis to believe that Melissa Teresa Candrilli, RRT (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 respiratory therapist holding an active or suspended license to practice respiratory therapy in the State of Nevada (License No. RC1551). Respondent was originally licensed by the Board on May 28, 2008.

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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 Rachakonda D. Prabhu, M.D., Chairman, Victor M. Muro, M.D., and Ms. April Mastroluca.

2. Pursuant to NAC 630.540, a practitioner of respiratory care is subject to discipline or denial of licensure by the Board if, after notice and hearing in accordance with NAC Chapter 630, the Board finds that the practitioner of respiratory care:

1. Willfully and intentionally made a false or fraudulent statement or submitted a forged or false document in applying for a license or renewing a license.

4. Disobeyed any order of the Board or an investigative committee of the Board or violated a provision of this chapter.

5. Is not competent to provide respiratory care services.

6. Lost his or her certification by the National Board for Respiratory Care or its successor organization.

7. Failed to notify the Board of loss of certification by the National Board for Respiratory Care or its successor organization.

...

9. Rendered respiratory care to a patient while under the influence of alcohol or any controlled substance or in any impaired mental or physical condition.

...

23. Violated any provision that would subject a practitioner of medicine to discipline pursuant to NRS 630.301 to 630.3065, inclusive, or NAC 630.230.

3. Pursuant to NRS 630.254, each licensee of the Board shall maintain a permanent mailing address with the Board to which all communications from the Board to the licensee must be sent. A licensee who changes his or her permanent mailing address shall notify the Board in writing of the new permanent mailing address within 30 days after the change. If a licensee fails to notify the Board in writing of a change in his or her permanent mailing address within 30 days after the change, the Board may impose a fine and initiate disciplinary action against the licensee as provided pursuant NRS 630.306(1)(j).

4. On May 31, 2018, Respondent's certification as a respiratory therapist by the National Board for Respiratory Care (NBRC) expired.

5. Respondent did not notify the Board of the expiration of her NBRC certification.

6. On June 6, 2018, the Board suspended Respondent's license to practice respiratory care due to the expiration of her NBRC certification.

7. On June 11, 2018, an Order of Suspension was mailed to Respondent's address on

1 record, which Order was returned to the Board as “unclaimed.”

2 8. On June 26, 2018, the Board reinstated Respondent’s license to practice respiratory
3 care upon being provided proof of renewal of her NBRC certification.

4 9. On information and belief, on or about January 21, 2019, Respondent reported to work
5 at the Complex Care Hospital at Tenaya (CCHT) under the influence of alcohol. Supervisory staff of
6 CCHT requested, and Respondent submitted to, a breathalyzer test.

7 10. On or about January 25, 2019, Respondent was notified by CCHT staff that she was
8 suspended from duty as a respiratory therapist pending the results of an investigation of allegations of
9 being under the influence of alcohol during work hours.

10 11. On information and belief, Respondent’s employment was subsequently terminated by
11 CCHT.

12 12. On or about June 28, 2019, Respondent submitted to the Board a biennial license
13 renewal application (Application).

14 13. On the Application, Respondent denied that during the period of July 1, 2017, through
15 July 1, 2019, she had been “. . . a) asked to respond to an investigation; b) notified that you were under
16 investigation for; c) investigated for . . . any violation of a statute, rule or regulation governing your
17 practice as a practitioner of respiratory care by any . . . hospital” Respondent answered “no” to
18 the inquiry, and thereby failed to report on her Application that she had been under investigation by
19 CCHT for allegations of being under the influence of alcohol during work hours, which would be a
20 violation of, including but not limited to, NAC 630.540(9).

21 14. On information and belief, Respondent’s failure to report on her Application the
22 CCHT investigation, involving a possible violation of NAC 630.540(9), was willful and intentional.

23 15. On or about July 24, 2019, Respondent was arrested by the North Las Vegas Police
24 Department for a misdemeanor charge of providing a false statement/obstruction of a public officer.
25 The police had been called for a possible case of domestic violence. At the time she was arrested, the
26 police observed Respondent to be inebriated. Respondent’s fiancée was arrested due to an outstanding
27 warrant, and Respondent then became verbally and physically aggressive with the police officers.

28 16. On or about August 26, 2019, Respondent pled no contest to the aforementioned

charge and paid fees and a fine totaling \$405.

17. On or about August 6, 2019, Respondent was again arrested by the North Las Vegas Police Department for a misdemeanor charge of driving under the influence (DUI), first offense, and a misdemeanor charge of failure to maintain lane/improper lane change.

18. On or about October 7, 2019, Respondent pled no contest to the DUI charge and was ordered to attend a mandated drug and alcohol program. The failure to maintain lane charge was dismissed.

19. On December 3, 2019, pursuant to NAC 630.550, the IC issued to Respondent an Order for Competency Evaluation and Fitness To Practice (Order), whereby Respondent was ordered to undergo an evaluation at 12:00 noon on December 13, 2019, at Montevista Hospital at 5900 W. Rochelle Avenue, Las Vegas, NV 89103.

20. Respondent was personally served with the Order on December 5, 2019.

21. On December 13, 2019, Respondent met with Larry Espadero, LADC, and underwent an evaluation as ordered.

22. On December 16, 2019, Mr. Espadero communicated his report to the Board, wherein he opined that Respondent was unfit to practice.

23. Based on the foregoing, on or about December 18, 2019, the IC issued an Order of Summary Suspension alleging that that the health, safety and welfare of the public was at imminent risk of harm if Respondent was permitted to continue practicing, and that an immediate summary suspension of Respondent's license in the State of Nevada was necessary for the protection of the public. NRS 630.326(1).

COUNT I

NRS 630.306(1)(a)

(Inability to Practice Respiratory Therapy With Reasonable Skill and Safety)

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

///

///

25. NAC 630.540(23) provides that violating any provision that would subject a practitioner of medicine to discipline pursuant to NRS 630.301 to 630.3065, inclusive, or NAC 630.230, is grounds for disciplinary action against a respiratory therapist.

26. NRS 630.306(1)(a) provides that the inability to practice with reasonable skill and safety because of illness, a mental or physical condition or the use of alcohol, drugs, narcotics or any other substance is grounds for initiating disciplinary action.

27. Respondent is unable to practice respiratory therapy with reasonable skill and safety because of a mental or physical condition and the use of alcohol, drugs, narcotics and other substances.

28. By reason of the foregoing, Respondent is subject to discipline by the Nevada State Board of Medical Examiners as provided in NAC 630.555 and NRS 630.352.

COUNT II

NAC 630.540 (Willful and Intentional False Statement in Renewal of License)

29. All of the allegations in the above paragraphs are hereby incorporated by reference as though fully set forth herein.

30. Pursuant to NAC 630.540(1), a practitioner of respiratory care is subject to discipline or denial of licensure for willfully and intentionally making a false or fraudulent statement in renewing a license.

31. On information and belief, Respondent knowingly and willfully made a false statement in answering "no" to the question on her Application referred to in paragraph 13 above.

32. By reason of the foregoing, Respondent is subject to discipline by the Nevada State Board of Medical Examiners as provided in NAC 630.555 and NRS 630.352.

COUNT III

NRS 630.306(1)(j)

(Failing to Timely Notify the Board of a Change of Permanent Address)

33. All of the allegations in the above paragraphs are hereby incorporated by reference as though fully set forth herein.

///

34. NAC 630.540(23) provides that violating any provision that would subject a practitioner of medicine to discipline pursuant to NRS 630.301 to 630.3065, inclusive, or NAC 630.230, is grounds for disciplinary action against a respiratory therapist.

35. NRS 630.306(1)(j) provides that failing to comply with the requirements of NRS 630.254 is grounds for initiating disciplinary action.

36. NRS 630.254 provides, in pertinent part:

Each licensee shall maintain a permanent mailing address with the Board to which all communications from the Board to the licensee must be sent. A licensee who changes his or her permanent mailing address shall notify the Board in writing of the new permanent mailing address within 30 days after the change. If a licensee fails to notify the Board in writing of a change in his or her permanent mailing address within 30 days after the change, the Board:

- (a) May impose upon the licensee a fine not to exceed \$250; and
- (b) May initiate disciplinary action against the licensee as provided pursuant to paragraph (j) of subsection 1 of NRS 630.306.

37. Respondent violated NRS 630.254 by failing to maintain a permanent address with the Board to which all communications to the licensee must be sent.

38. By reason of the foregoing, Respondent is subject to discipline by the Nevada State Board of Medical Examiners as provided in NAC 630.555 and NRS 630.352.

WHEREFORE, the Investigative Committee prays:

1. That the Board give Respondent notice of the charges herein against her and give her notice that she may file an answer to the Complaint herein as set forth in NAC 630.545 and 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


///

///

1 5. That the Board take such other and further action as may be just and proper in these
2 premises.

3 DATED this 19 day of December, 2019.

4 INVESTIGATIVE COMMITTEE OF THE
5 NEVADA STATE BOARD OF MEDICAL EXAMINERS

6 
7 By: _____
8 Aaron Bart Fricke, Esq., Deputy General Counsel
9 Attorney for the Investigative Committee
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VERIFICATION

STATE OF NEVADA)
 : ss.
COUNTY OF CLARK)

Rachakonda D. Prabhu, 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 19th day of December, 2019.

INVESTIGATIVE COMMITTEE OF THE
NEVADA STATE BOARD OF MEDICAL EXAMINERS

By: 

Rachakonda D. Prabhu, M.D., Chairman

BEFORE THE BOARD OF MEDICAL EXAMINERS
OF THE STATE OF NEVADA

* * * * *

In the Matter of Charges and Complaint
Against
MELISSA TERESA CANDRILLI, RRT,
Respondent.

Case No. 19-33868-1

FILED

DEC 23 2019

NEVADA STATE BOARD OF
MEDICAL EXAMINERS

By: 

PROOF OF SERVICE

COMPLAINT AND ORDER OF SUMMARY SUSPENSION

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IN THE INVESTIGATIVE COMMITTEE OF THE NEVADA STATE BOARD OF MEDICAL EXAMINERS
IN AND FOR THE COUNTY OF WASHOE

IN THE MATTER OF THE INVESTIGATION OF
MELISSA T CANDRILLI, RRT,

Plaintiff(s),

CASE NO: 19-33868-1

VS.

Defendant(s),

DECLARATION OF SERVICE

STATE OF NEVADA

COUNTY OF Clark

ss.:

CHRISTOPHER MICHAEL SARTIN, being duly sworn says: That at all times herein Affiant was and is a citizen of the United States, over 18 years of age, and not a party to nor interested in the proceedings in which this Affidavit is made.

That Affiant received copy(ies) of the On 12/20/2019 and served the same on 12/20/2019 at 7:54 PM by delivery and leaving a copy with:

1. Delivering and leaving a copy with Melissa T. Candrilli, RRT at [REDACTED]

A description of Melissa Candrilli is as follows

Gender	Color of Skin/Race	Hair	Age	Height	Weight
Female	White	Brown	48	5'5	165

Pursuant to NRS 239B.030 this document does not contain the social security number of any person.

Affiant does hereby affirm under penalty of perjury under the law of the State of Nevada that the foregoing is true and correct.

Executed on: 12/23/2019

by CHRISTOPHER MICHAEL SARTIN

Registration: R-096440

No notary is required per NRS 53.045

X

CHRISTOPHER MICHAEL SARTIN

Registration: R-096440

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Reno, NV 89509

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Order#: C23313 NVPRF411

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

3
4 In the Matter of Charges and)
5 Complaint Against)
6 MELISSA TERESA CANDRILLI, RRT,)
7 Respondent.)

CASE NO.: 19-33868-1

Early Case Conference: 10:00 A.M.
Monday, June 22, 2020

FILED

JUN 12 2020

NEVADA STATE BOARD OF
MEDICAL EXAMINERS
By: _____

8
9 **NOTICE AND ORDER SCHEDULING EARLY CASE CONFERENCE**

10 TO: AARON B. FRICKE, Deputy General Counsel and Attorney for the Investigative
11 Committee of the Nevada State Board of Medical Examiners, 9600 Gateway
12 Drive, Reno, Nevada 89521

13 MELISSA CANDRILLI, RRT, _____
14 _____

15 **NOTICE IS HEREBY GIVEN** that on December 19, 2019, a Complaint was filed in
16 the name of the Investigative Committee of the Nevada State Board of Medical Examiners
17 pursuant to Chapter 630 of the Nevada Revised Statutes, charging Respondent with violation of
18 the Medical Practice Act. A true and correct copy of said Complaint was served upon
19 Respondent on December 20, 2019, and is hereby incorporated by this reference.

20 Based upon the calendar of the undersigned Hearing Officer, this Notice and Order
21 Scheduling an Early Case Conference is hereby filed.

22 **ACCORDINGLY, NOTICE IS HEREBY GIVEN** that in compliance with NRS
23 630.339(3)¹, **an Early Case Conference will be conducted on Monday, June 22, 2020,**

24 ¹3. Within 20 days after the filing of the answer, the parties shall hold an early case conference at which the
25 parties and the hearing officer appointed by the Board or a member of the Board must preside. At the early case
26 conference, the parties shall in good faith:

27 a) Set the earliest possible hearing date agreeable to the parties and the hearing officer, panel of the Board
28 or the Board, including the estimated duration of the hearing;

b) Set dates:

- (1) By which all documents must be exchanged;
- (2) By which all prehearing motions and responses thereto must be filed;
- (3) On which to hold the prehearing conference; and
- (4) For any other foreseeable actions that may be required for the matter;

1 beginning at the hour of 10:00 A.M., in the Conference Room at the Office of the Nevada State
2 Board of Medical Examiners, located at 9600 Gateway Drive, Reno, Nevada 89521, or as soon
3 thereafter as it may be heard.

4 **NOTICE IS FURTHER HEREBY GIVEN** that the Early Case Conference shall be
5 attended by the parties in person or by any party's legal counsel of record and will be conducted
6 by the undersigned Hearing Officer in order to discuss and designate the dates for the Pre-
7 Hearing Conference and Hearing, and other procedural matters established in NRS 630.339.
8 Respondent may elect to participate in the Early Case Conference by telephone if prior
9 arrangements are made with the Deputy General Counsel for the Investigative Committee of the
10 Nevada State Board of Medical Examiners in sufficient time prior to the time and date fixed to
11 arrange that alternative means of participation.

12 At the Pre-Hearing Conference, in accordance with NAC 630.465², each party shall
13 provide the other party with a copy of the list of witnesses each party intends to call to testify,
14 including therewith, the qualifications of each witness so identified, and a summary of the
15 testimony of each witness. If a witness is not on the list of witnesses, that witness may not be
16 allowed to testify at the hearing unless good cause is shown for omitting the witness from said
17
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19

-
- 20 (c) Discuss or attempt to resolve all or any portion of the evidentiary or legal issues in the matter;
21 (d) Discuss the potential for settlement of the matter on terms agreeable to the parties; and
22 (e) Discuss and deliberate any other issues that may facilitate the timely and fair conduct of the matter.

23 ²¹. At least 30 days before a hearing but not earlier than 30 days after the date of service upon the physician
24 or physician assistant of a formal complaint that has been filed with the Board pursuant to NRS 630.311, unless a
25 different time is agreed to by the parties, the presiding member of the Board or panel of members of the Board or the
26 hearing officer shall conduct a prehearing conference with the parties and their attorneys. All documents presented
27 at the prehearing conference are not evidence, are not part of the record and may not be filed with the Board.

28 2. Each party shall provide to every other party a copy of the list of proposed witnesses and their
qualifications and a summary of the testimony of each proposed witness. A witness whose name does not appear on
the list of proposed witnesses may not testify at the hearing unless good cause is shown.

3. All evidence, except rebuttal evidence, which is not provided to each party at the prehearing conference
may not be introduced or admitted at the hearing unless good cause is shown.

4. Each party shall submit to the presiding member of the Board or panel or to the hearing officer
conducting the conference each issue which has been resolved by negotiation or stipulation and an estimate, to the
nearest hour, of the time required for presentation of its oral argument.

1 list.³

2 All evidence, except rebuttal evidence, which is not provided to each party at the Pre-
3 Hearing Conference may not be introduced or admitted at the hearing unless good cause is
4 shown.

5 **NOTICE IS FURTHER HEREBY GIVEN** that the attorney for the Investigative
6 Committee and Respondent's legal counsel shall keep the undersigned Hearing Officer advised
7 of each issue which has been resolved by negotiation or stipulation, if any, and provide at the
8 Pre-Hearing Conference an estimate, to the nearest hour, of the time required for presentation of
9 their respective cases.

10 **NOTICE IS FINALLY HEREBY GIVEN** that the possible sanctions authorized by
11 NRS 630.352 and NRS 622.400 to be imposed on the Respondent based on a sustained charge in
12 regard to one or more of the issues raised in said Complaint include one or more of the following
13 sanctions:

- 14 A. Placement on probation for a specified period on any of the conditions specified in
15 the order;
- 16 B. Administration of a public reprimand;
- 17 C. Suspension of his license for a specified period or until further order of the Board;
- 18 D. Revocation of his license to practice;
- 19 E. A requirement that he participate in a program to correct alcohol or drug
20 dependence or any other impairment;
- 21 F. A requirement that there be specified supervision of his practice;
- 22 G. A requirement that he perform public service without compensation;
- 23 H. A requirement that he take a physical or mental examination or an examination
24 testing his medical competence;
- 25 I. A requirement that he fulfill certain training or educational requirements, or both,
26 as specified by the Board;

26 ³ In identifying a patient as a witness the parties are cautioned to omit from any pleadings filed with the
27 undersigned administrative hearing officer any addresses, telephone numbers, social security numbers, or other
28 personal information regarding such individual and to confine their submissions in this regard to the Patient
Designation of the witness, qualifications for the relevancy of any testimony sought to be elicited from that witness
and a summary of the anticipated testimony.

- 1 J. Imposition of a fine on you not to exceed \$5,000 for each violation;
2 K. A requirement that a practitioner licensed by the State Board of Medical
3 Examiners, pursuant to NRS 622 .400 pay all costs incurred by the Board relating
4 to the disciplinary proceedings as more fully set forth in said statute.

5 DATED this 11 day of June, 2020.

6 CHARLES B. WOODMAN, Hearing Officer
7 Nevada State Board of Medical Examiners
8 548 W. Plumb Lane, Suite B
9 Reno, Nevada 89509
10 (775) 786-9800
11 hardywoodmanlaw@msn.com
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1 CERTIFICATE OF SERVICE

2 I certify that on this day, I personally delivered or mailed, postage pre-paid, at Reno,
3 Nevada, a true file-stamped copy of the foregoing NOTICE AND ORDER SCHEDULING
4 EARLY CASE CONFERENCE addressed as follows:

5 AARON B. FRICKE, ESQ.
6 Deputy General Counsel and Attorney for the Investigative Committee of the Nevada
7 State Board of Medical Examiners
8 9600 Gateway Drive
9 Reno, Nevada 89521

10 MELISSA T. CANDRILLI, RRT
11 [REDACTED]
12 [REDACTED]

13 DATED this 12th day of June, 2020.

14 [REDACTED]
15 [REDACTED]
16 [REDACTED]
17 [REDACTED]
18 [REDACTED]
19 [REDACTED]
20 [REDACTED]
21 [REDACTED]
22 [REDACTED]
23 [REDACTED]
24 [REDACTED]
25 [REDACTED]
26 [REDACTED]
27 [REDACTED]
28 [REDACTED]
Legal Assistant
Nevada State Board of Medical Examiners

BEFORE THE BOARD OF MEDICAL EXAMINERS
OF THE STATE OF NEVADA

* * * * *

In the Matter of the Charges and) Case No. 19-33868-1
)
Complaint Against)
)
MELISSA TERESA CANDRILLI, RRT)
)
Respondent.)

FILED

JUN 22 2020

NEVADA STATE BOARD OF
MEDICAL EXAMINERS

By: 

PROOF OF SERVICE

NOTICE AND ORDER SCHEDULING EARLY CASE CONFERENCE



June 22, 2020

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The following is in response to your request for proof of delivery on your item with the tracking number:
9171 9690 0935 0096 2364 96.

Item Details

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	Return Receipt Electronic

Recipient Signature

Signature of Recipient: (Authorized Agent)	HP R-5 CV 19
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1 **BEFORE THE BOARD OF MEDICAL EXAMINERS**
2 **OF THE STATE OF NEVADA**
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5 In the Matter of Charges and)
6 Complaint Against)
7 MELISSA TERESA CANDRILLI, RRT,)
8 Respondent.)
9

CASE NO.: 19-33868-1

FILED

JUN 24 2020

NEVADA STATE BOARD OF
MEDICAL EXAMINERS

By: 

10 **NOTICE AND ORDER SCHEDULING PRE-HEARING AND HEARING**

11 TO: AARON B. FRICKE, Deputy General Counsel and Attorney for the Investigative
12 Committee of the Nevada State Board of Medical Examiners, 9600 Gateway
Drive, Reno, Nevada 89521

13 MELISSA CANDRILLI, RRT, 6 
14 

15 On Monday, June 22, 2020, a telephonic Early Case Conference was conducted in this
16 matter. Aaron B. Fricke was present on behalf of the Investigative Committee in the conference
17 room of the Nevada State Board of Medical Examiners, and Melissa Candrilli, RRT, appeared
18 telephonically. The undersigned Hearing Officer appeared telephonically as well. The parties
19 agreed to dates for the pre-hearing conference, exchange of documents, and the hearing date.

20 Accordingly, in compliance with NAC 630.465, **a pre-hearing conference will be**
21 **conducted on Friday, July 24, 2020, beginning at the hour of 10:00 A.M.,** Pacific Standard
22 Time, in the conference room at the Office of the Nevada State Board of Medical Examiners,
23 9600 Gateway Drive, Reno, Nevada 89521. The conference, to be attended by the parties in
24 person or by counsel,¹ will be conducted before the undersigned hearing officer to assure that all
25 written information and documentation to be presented by the parties at the formal hearing is
26 fully and completely exchanged.

27
28 ¹Respondent or Respondent's counsel may participate in the pre-hearing conference by telephone if prior
arrangements are made with counsel for Investigative Committee.


1 At the pre-hearing conference each party is to provide the other party with a copy of the
2 list of witnesses they intend to call to testify, including their qualifications, as well as a brief
3 summary of their anticipated testimony. If a witness is not included in the list of witnesses, that
4 witness may not be allowed to testify at the hearing unless good cause is shown.

5 **The formal hearing in this matter is hereby scheduled for Thursday, September 3,**
6 **2020, commencing at 1:30 P.M., and continuing through Friday, September 4, 2020,**
7 **commencing at 9:00 A.M.,** at the Office of the Nevada State Board of Medical Examiners, 9600
8 Gateway Drive, Reno, Nevada 89521. Respondent must be present at the hearing in person.
9 Following the hearing, the hearing officer will submit to the Board a synopsis of the testimony
10 taken at the hearing and make a recommendation on the veracity of witnesses if there is
11 conflicting evidence or if credibility of witnesses is a determining factor, and thereafter the Board
12 will render its decision. **NAC 630.470.**

13 Any other hearings previously set in this matter which conflict with the hearing schedule
14 set out herein are vacated.

15 It is further ordered that legal counsel for the Investigative Committee and Respondent or
16 Respondent's counsel shall keep this hearing officer advised of each issue which has been
17 resolved by negotiation or stipulation, or any other change in the status of this case.

18 DATED this 22 day of June, 2020.

19 
20 CHARLES B. WOODMAN, ESQ., Hearing Officer
21 Nevada State Board of Medical Examiners
22 548 W. Plumb Lane, Suite B
23 Reno, Nevada 89509
24 (775) 786-9800
25 hardywoodmanlaw@msn.com
26
27
28

1 CERTIFICATE OF SERVICE

2 I certify that on this day, I personally delivered or mailed, postage pre-paid, at Reno,
3 Nevada, a true file-stamped copy of the foregoing document addressed as follows:

4 AARON B. FRICKE, Deputy General Counsel and Attorney for the Investigative
5 Committee of the Nevada State Board of Medical Examiners, 9600 Gateway Drive, Reno,
Nevada 89521

6 MELISSA CANDRILLI, RRT, [REDACTED]
7 [REDACTED]

8 DATED this 24th day of June, 2020.


9 *Wendy Kathleen Kiddle*
10 Legal Assistant
11 Nevada State Board of Medical Examiners
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CERTIFICATE OF MAILING

I hereby certify that I am employed by Nevada State Board of Medical Examiners and that on 24th day of June, 2020; I served a copy of the NOTICE AND ORDER SCHEDULING PRE-HEARING AND HEARING, via USPS e-certified return receipt mail to the following:

Melissa Candrilli, RRT

Dated this 24th day of June, 2020


Dawn DeHaven Gordillo
Legal Assistant

OF THE STATE OF NEVADA

* * * * *

In the Matter of the Charges and

Case No. 19-33868-1

Complaint Against

FILED

MELISSA CANDRILLI, RRT

JUL - 7 2020

Respondent.

NEVADA STATE BOARD OF
MEDICAL EXAMINERS

By: [Signature]

PROOF OF SERVICE

NOTICE AND ORDER SCHEDULING EARLY CASE CONFERENCE

OFFICE OF THE GENERAL COUNSEL

Nevada State Board of Medical Examiners

9600 Gateway Drive

Reno, Nevada 89521

(775) 688-2559



July 6, 2020

Dear Dawn Gordillo:

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NEVADA STATE BOARD
OF MEDICAL EXAMINERS

9600 Gateway Drive
Reno, Nevada 89521



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MELISSA CANDRILLI, RRT



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✓ Delivered to Agent

June 15, 2020 at 12:53 pm
Delivered to Agent for Final Delivery
NORTH LAS VEGAS, NV 89084

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

3 * * * * *

4
5 **In the Matter of Charges and Complaint**
6 **Against**
7 **MELISSA TERESA CANDRILLI, RRT,**
8 **Respondent.**

Case No. 19-33868-1

FILED

JUL 24 2020

NEVADA STATE BOARD OF
MEDICAL EXAMINERS
By: 

9
10 **PREHEARING CONFERENCE STATEMENT OF THE INVESTIGATIVE COMMITTEE**
11 **OF THE NEVADA STATE BOARD OF MEDICAL EXAMINERS**

12 The Investigative Committee of the Nevada State Board of Medical Examiners (Committee)
13 submits the following Prehearing Conference Statement in accordance with NAC 630.465 and the
14 Hearing Officer's Notice and Order Scheduling Pre-hearing Conference and Hearing, filed on June
15 24, 2020.

16 **I. List of Witnesses:**

17 The Investigative Committee of the Nevada State Board of Medical Examiners lists the
18 following witnesses whom it may call at the hearing on the charges in the complaint against
19 Respondent filed herein:

- 20 a. Kim Freidman, CMBI, Investigator
21 Nevada State Board of Medical Examiners
22 9600 Gateway Drive
23 Reno, NV 89501

24 Ms. Freidman is expected to verify some documentary evidence obtained during her
25 investigation of this case and discuss, if necessary, her investigation of this matter.

- 26 b. Don Andreas, CMBI, Senior Investigator
27 Nevada State Board of Medical Examiners
28 9600 Gateway Drive
 Reno, NV 89501

 Mr. Andreas is expected to verify some documentary evidence obtained during his

1 investigation of this case and discuss, if necessary, his investigation of this matter.

2 c. Melissa Teresa Candrilli, Respondent

3 Ms. Candrilli is expected to testify as to her conduct and respond to the allegations in the
4 Complaint.

5 d. All witnesses identified by Respondent in his prehearing conference statement
6 and/or in any subsequent amended, revised or supplemental prehearing conference statement, or
7 list of witnesses disclosed by Respondent of persons she may call to testify at the hearing herein.

8 **II. List of Exhibits:**

9 The Investigative Committee of the Nevada State Board of Medical Examiners lists the
10 following exhibits that it may introduce at the hearing on the charges and formal Complaint
11 against the Respondent.

12 All exhibits listed in Respondent's prehearing conference statement and any supplement and/or
13 amendment thereof.

14	Ex. 1	Complaint, (Dated, 12/19/2019)	NSBME	0001-0008
15	Ex. 2	Proof of Service (Dated, 12/23/2019)	NSBME	0009-0010
16	Ex. 3	National Board for Respiratory Care (NBRC) Certification	NSBME	0011
17	Ex. 4	Order of Suspension, (Dated, 6/6/18)	NSBME	0012
18	Ex. 5	Communication from NSBME, Tara Bailey to Respondent, (Dated, 7/3/2018)	NSBME	0013-0017
19	Ex. 6	Order of Reinstatement of License to Practice Respiratory Care, (Dated, 6/26/19)	NSBME	0018-0020
20	Ex. 7	NSBME Allegation Letter to Respondent, (Dated, 3/8/19)	NSBME	0021-0028
21	Ex. 8	NSBME Allegation Letter to Respondent, Second Request, (Dated, 4/9/19)	NSBME	0029-0031
22	Ex. 9	Order to Produce Response, (Dated, 4/9/2019)	NSBME	0032-0033

OFFICE OF THE GENERAL COUNSEL

Nevada State Board of Medical Examiners

9600 Gateway Drive


Reno, Nevada 89501

(775) 688-2559

1	Ex. 10	NSBME Allegation Letter to Respondent, Revised, (Dated, 7/3/19)	NSBME	0034-0036
2				
3	Ex. 11	NSBME Allegation Letter to Respondent, Final Request, (Dated, 7/26/19)	NSBME	0037-0039
4				
5	Ex. 12	Affidavit of Service, Order to Produce Response, Final Request & Allegation Letter (Dated, July 26, 2019)	NSBME	0040
6	Ex. 13	Respondent Response to Allegation Letter, (Dated, 8/5/19)	NSBME	0041-0046
7				
8	Ex. 14	Lifecare Health Partners Employment Records for Respondent, (Dated, 1/8/2019 through 1/31/19)	NSBME	0047-0069
9				
10	Ex. 15	NSBME License Renewal, (Dated, 6/28/19)	NSBME	0070-0072
11	Ex. 16	City of North Las Vegas Police Department, Report of Arrest, (Dated, 7/24/19)	NSBME	0073-0081
12				
13	Ex. 17	City of North Las Vegas Police Department, Report of Arrest, (Dated, 8/6/19)	NSBME	0082-0098
14				
15	Ex. 18	City of North Las Vegas vs. Candrilli, Melissa T, (Dated, 10/7/2019)	NSBME	0099-0103
16				
17	Ex. 19	Order for Competency Evaluation and Fitness to Practice, (Dated, 12/3/19)	NSBME	0104-0105
18	Ex. 20	Declaration of Service, (Dated, 12/5/2019)	NSBME	0106
19	Ex. 21	PRN Assessment, Larry Espadero LADC, (Dated, 12/16/19)	NSBME	0107-0108
20	Ex. 22	NSBME Order of Summary Suspension, (Dated, 12/19/19)	NSBME	0109-0113
21	Ex. 23	Proof of Service, (Dated, 12/20/2019)	NSBME	0114-0116

Dated this 24 day of July, 2020.

THE INVESTIGATIVE COMMITTEE of the
NEVADA STATE BOARD OF MEDICAL EXAMINERS


By: 
Aaron Bart Fricke, Esq.
Senior Deputy General Counsel, and
Attorney for the Investigative Committee

CERTIFICATE OF MAILING

I hereby certify that I am employed by Nevada State Board of Medical Examiners and that on 24th day of July, 2020; I mailed via USPS e-certified return receipt mail a file-stamped copy of the following: PREHEARING CONFERENCE STATEMENT OF THE INVESTIGATIVE COMMITTEE OF THE NEVADA STATE BOARD OF MEDICAL EXAMINERS, HEARING EXHIBITS.

Melissa Candrilli, RRT

Dated this 24th day of July, 2020.


Dawn DeHaven Gordillo
Legal Assistant

BEFORE THE BOARD OF MEDICAL EXAMINERS
OF THE STATE OF NEVADA

* * * * *

In the Matter of the Charges and)

Case No. 19-33868-1

Complaint Against)

FILED

MELISSA TERESA CANDRILLI, RRT)

AUG 11 2020

Respondent.)

NEVADA STATE BOARD OF
MEDICAL EXAMINERS

By: 

PROOF OF SERVICE

PREHEARING CONFERENCE STATEMENT OF THE INVESTIGATIVE
COMMITTEE OF THE NEVADA STATE BOARD OF MEDICAL EXAMINERS

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July 27, 2020, 7:10 am

Out for Delivery

NORTH LAS VEGAS, NV 89084

July 27, 2020, 5:45 am

Arrived at Unit

NORTH LAS VEGAS, NV 89031

July 26, 2020

In Transit to Next Facility

July 25, 2020, 11:27 pm

Departed USPS Regional Facility

LAS VEGAS NV DISTRIBUTION CENTER

July 25, 2020, 9:11 pm

Arrived at USPS Regional Origin Facility

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July 24, 2020, 7:44 pm

Departed USPS Regional Origin Facility

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July 24, 2020, 7:43 pm

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1 **BEFORE THE BOARD OF MEDICAL EXAMINERS**
2 **OF THE STATE OF NEVADA**
3

4 In the Matter of Charges and)
5 Complaint Against)
6 MELISSA TERESA CANDRILLI, RRT,)
7 Respondent.)

CASE NO.: 19-33868-1

FILED

AUG 11 2020

NEVADA STATE BOARD OF
MEDICAL EXAMINERS
By: [Signature]

8
9 **ORDER AFTER PRE-HEARING**

10 TO: AARON B. FRICKE, Deputy General Counsel and Attorney for the Investigative
11 Committee of the Nevada State Board of Medical Examiners, 9600 Gateway
Drive, Reno, Nevada 89521

12 MELISSA CANDRILLI, RRT, [REDACTED]
13 [REDACTED]

14 On Friday, July 24, 2020, a telephonic Pre-Hearing was conducted in this matter. Aaron
15 B. Fricke was present on behalf of the Investigative Committee in the conference room of the
16 Nevada State Board of Medical Examiners, and the undersigned Hearing Officer appeared
17 telephonically. Ms. Candrilli was not present. The Investigative Committee has represented to
18 the Hearing Officer that Ms. Candrilli is no longer cooperating with a resolution of this case.
19 Accordingly the formal Hearing scheduled for **Thursday, September 3, 2020, commencing at**
20 **1:30 P.M., and continuing through Friday, September 4, 2020, commencing at 9:00 A.M.,**
21 shall be heard as previously scheduled. Respondent must be present at the hearing in person.

22 It is further ordered that legal counsel for the Investigative Committee and Respondent or
23 Respondent's counsel shall keep this hearing officer advised of each issue which has been
24 resolved by negotiation or stipulation, or any other change in the status of this case.

25 DATED this 29 day of July, 2020. [REDACTED]

26 CHARLES B. WOODMAN, ESQ., Hearing Officer
27 Nevada State Board of Medical Examiners
548 W. Plumb Lane, Suite B
28 Reno, Nevada 89509
(775) 786-9800
hardywoodmanlaw@msn.com

CERTIFICATE OF SERVICE

I certify that on this day, I personally delivered or mailed, postage pre-paid, at Reno, Nevada, a true file-stamped copy of the foregoing document addressed as follows:

AARON B. FRICKE, Deputy General Counsel and Attorney for the Investigative Committee of the Nevada State Board of Medical Examiners, 9600 Gateway Drive, Reno, Nevada 89521

MELISSA CANDRILLI, RRT, [REDACTED]

DATED this 11th day of August, 2020.

[REDACTED]
Legal Assistant
Nevada State Board of Medical Examiners

BEFORE THE BOARD OF MEDICAL EXAMINERS
OF THE STATE OF NEVADA

* * * * *

In the Matter of Charges and Complaint
Against
MELISSA TERESA CANDRILLI, RRT,
Respondent.

Case No. 19-33868-1

FILED

OCT - 9 2020

NEVADA STATE BOARD OF
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ORDER AFTER PRE-HEARING

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