

CLARK HILL

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August 17, 2023

Via E-mail

Nevada State Board of Medical Examiners
Attn: Deonne E. Contine, General Counsel
 9600 Gateway Drive
 Reno, Nevada 89521

Re: Follow-up to your August 7, 2023, email addressing this office's June 19, 2023, letter regarding the process for the reinstatement of the license of Simmon L. Wilcox, M.D., Respondent, pursuant to the Settlement Agreement entered into with the Board on April 12, 2016.
Case No. 16-30572-1

Request for Dr. Wilcox to be placed on the Board's September 15, 2023, agenda for him to request Board sponsorship to take the SPEX exam

Ms. Contine:

As you know, this office represents Simmon L. Wilcox, M.D. ("Dr. Wilcox" or "Respondent").

This letter is sent as a follow-up to your August 7, 2023, email addressing this office's June 19, 2023, letter addressed to Edward Cousineau at the Nevada State Board of Medical Examiners (the "Board") regarding the process for the reinstatement of the license Dr. Wilcox pursuant to the *Settlement Agreement* entered into with the Board on April 12, 2016, in case no. 16-30572-1.

In pertinent part, your August 7, 2023, email provides:

This email is regarding Dr. Wilcox's desire to petition the Board for licensure. First, he will need to take SPEX. If he has a current, active, unrestricted license in the U.S. or Canada, he can self-nominate to take it. If

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Re: Follow-up to your August 7, 2023, email addressing this office's June 19, 2023, letter regarding the process for the reinstatement of the license of Simmon L. Wilcox, M.D., Respondent, pursuant to the Settlement Agreement entered into with the Board on April 12, 2016
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he does not, he must take SPEX through the board-sponsored process. If he needs to take it through the board-sponsored process, we can put an item on the September 15, 2023, agenda for him to request sponsorship. Let me know if you would like to do that. If you prefer to submit a written request for board-sponsorship, you can do that and provide any additional information you would like regarding the sponsorship request. Let me know how you wish to proceed.

Id.

In keeping with your email, and without waiving any arguments, defenses, or positions, please accept this letter as Dr. Wilcox's request to be placed on the Board's September 15, 2023, agenda for him to request Board sponsorship to take the SPEX exam.

While the *Settlement Agreement* does not contain a requirement that Dr. Wilcox first take the SPEX exam before petitioning the Board for reinstatement of licensure, Dr. Wilcox nonetheless voluntarily agrees with your suggestion to seek Board sponsorship to take the SPEX exam prior to his petition for reinstatement being heard by the Board. Dr. Wilcox recognizes the length of time he has not practiced and that the SPEX exam appears to be a reasonable request, one that the Board itself may have made as a condition to reinstatement.

In April 2016, Dr. Wilcox entered into a *Settlement Agreement* with the Board in the above-referenced matter. See Exhibit 1. The *Settlement Agreement* references and addresses an Indictment that was filed on October 23, 2013 ("Indictment"), in the matter of United States of America v. Simmon Lee Wilcox, Benjamin David Grisel, Brenda Ann Grisel, Jeron Scott Hales, Jeremy Daniel Perkins, and Randal David Ayrtton, United States District Court, District of Utah, Central Division, Case No. 2:13-cr-00717-TS-PMW.¹

¹Each Defendant, with the exception of the Respondent, reached a plea deal with the government wherein they each plead guilty to Count 1 of the Indictment (i.e., Conspiracy to Distribute Oxycodone, 21 USC 841(a)(1) and 846).

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Respondent provided the Board with timely notice of the Indictment. Following a jury trial involving Respondent only, a *Verdict Form* was filed on January 28, 2015, in the matter of United States of America v. Simmon Lee Wilcox, United District of Utah, Central Division, Case No. 2:13-cr-00717-TS-PMW, which notes the jury found Respondent guilty as to Count 1 of the Indictment (i.e., Conspiracy to Distribute Oxycodone, 21 USC 841(a)(1) and 846) and guilty as to Count 2 of the Indictment (i.e., Distribution of Oxycodone, 21 USC 841(a)(1)). Moreover, the *Verdict Form* reflects the jury found Respondent not guilty as to Count 8 (i.e., Distribution of Hydrocodone, 21 USC 841(a)(1)), Count 9 (i.e., Distribution of Hydrocodone, 21 USC 841(a)(1)), and Count 10 (i.e., Distribution of Hydrocodone, 21 USC 841(a)(1)).

Please note Dr. Wilcox has always professed his innocence and has never admitted to any wrongdoing.

Following the filing of the *Verdict Form*, a sentencing hearing for Respondent in the matter of United States of America v. Simmon Lee Wilcox, United District of Utah, Central Division, Case No. 2:13-cr-00717-TS-PMW, was set for April 18, 2016. As I noted earlier, I was advised the U.S. Attorney has indicated if the Board would be inclined to place Dr. Wilcox's license on probation, then the U.S. Attorney may be willing to recommend probation and/or supervised release for Dr. Wilcox, instead of incarceration/custody.

Accordingly, the *Settlement Agreement* was drafted in the alternative. Generally, in the event Dr. Wilcox is sentenced to probation and/or supervised release, his Nevada medical license would be subject to a stayed suspension for six months and being placed on probation which would run concurrent with the Federal criminal probation and/or supervised release. See *Settlement Agreement* at pages 5-6. Alternatively, if Dr. Willcox sentenced to incarceration/custody, his license would be voluntarily revoked with provisions for reinstatement following release. *Id.*, at pages 6-9. In the event Dr. Wilcox is found to be in violations of any of the terms of his criminal probation and/or supervised

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release, he would stipulate to the automatic surrender of his license without any further action of the Board other than issuance of an Order by the Executive Director.

Unfortunately, as the Board knows, Dr. Wilcox was in fact sentenced to incarceration/custody. He has since completed the incarceration/custody. Accordingly, paragraph 4.c.1. of the *Settlement Agreement* is now applicable. It provides:

1. Respondent's license to practice medicine in the state of Nevada shall be revoked, pursuant to the terms and conditions set forth below.

a. Following his release from incarceration/custody, Respondent may petition the Board to reinstate Respondent's license to practice medicine in the state of Nevada pursuant to the following terms and conditions:

i. Pursuant to NRS 622.400, Respondent shall reimburse to the Board the sum of \$998.46, the amount of the costs incurred by the Board to investigate and prosecute this matter, along with the costs to conclude the matter, if any. Respondent must pay these costs prior to petitioning the Board for reinstatement of Respondent's license to practice medicine in the state of Nevada;

ii. Respondent must submit proof that Respondent has complied with required continuing education requirements while incarcerated/in-custody;

iii. Pursuant to NRS 630.352(4)(a) in addition to any additional terms the Board deems appropriate in the event the Board reinstates Respondent's license to practice medicine in the state of Nevada, Respondent shall be placed on probation for a period of one (1)

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year. Respondent shall also comply with any terms and conditions of parole and probation and/or supervised release which may follow the incarceration/custody period, if any, related to the case of United States of America v. Simmon Lee Wilcox, United States District Court, District of Utah, Central Division, Case No. 2:13-cr-00717-TS-PMW. Within thirty (30) days of Respondent's release from incarceration/custody, Respondent shall provide a copy of this Agreement to the office of Federal Parole and Probation and/or any other applicable office/department. Respondent shall also execute any documents necessary authorizing the office of Federal Parole and Probation and/or any other applicable office/department to release any and all reports generated regarding Respondent's compliance with the terms and conditions of Respondent's federal probation and/or supervised release following his incarceration/custody. Once Respondent is given written notice of his completion of his federal probation and/or supervised release following his incarceration/custody, Respondent shall submit the written notice to the Investigative Committee. Upon receipt of the written notice of completion of federal probation and/or supervised release following his incarceration/custody and Respondent's completion of the one (1) year of probation relative to Respondent's Nevada medical license, the Board shall issue an Order reinstating Respondent's license to the status of "active" without restriction. If, during the term of Respondent's federal probation and/or supervised release following his incarceration/custody or Respondent's Nevada medical license probation, the IC receives substantial evidence that Respondent has materially breached the terms and conditions of either probation and/or supervised release following his incarceration/custody, Respondent agrees the IC, without any further hearing or action by the Board, shall issue an order suspending Respondent's license to practice medicine in the state of Nevada. Thereafter, Respondent may request a hearing before the Board to reinstate his license, which must be heard within forty-five (45) days of

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the Order of Suspension. However, during the pendency of the hearing before the Board, Respondent waives any right to seek judicial review (state or federal) to reinstate his privilege to practice medicine in the state of Nevada pending a final Board hearing.

iv. Respondent agrees he shall submit to the Board any and all documentation regarding any of the terms and conditions of parole and probation and/or supervised release following his incarceration/custody related to the case of United States of America v. Simmon Lee Wilcox, United States District Court, District of Utah, Central Division, Case No. 2:13-cr-00717-TS-PMW upon Respondent's release from incarceration/custody.

Id., Exhibit 1, at 7:3 to 8:23.

Accordingly, pursuant to paragraph 4.c.1.a. of the *Settlement Agreement*, Dr. Wilcox, via his June 19, 2023, letter, sought to "petition the Board to reinstate [his] license to practice medicine in the state of Nevada..."

As to paragraph 4.c.1.a.i., your August 7, 2023, email acknowledges the Board has received payment of \$998.46 on Dr. Wilcox's behalf to satisfy compliance with paragraph 4.c.1.a. of the *Settlement Agreement*.

With regards to paragraph 4.c.1.a.ii., please find accompanying this letter as **Exhibit 2** (documents bate numbered 1-21), documentation addressing the requirement "that Respondent has complied with required continuing education requirements while incarcerated/in-custody." Same includes:

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Date(s)	Title	CE credits	Entity	Bate #
5-2-21	Jeopardy! GLP-1 RA Edition	0.5 AMA PRA Category 1 Credits	Pri-Med Institute	1
5-2-21	Clinical Coffee Break: The What and Why of GLP-1 RA in Cardiovascular Risk Reduction (An Interactive Video Experience)	0.5 AMA PRA Category 1 Credits	Pri-Med Institute	2
5-17-21	328 – Comprehensive Review of Family Medicine	62.75 AMA PRA Category 1 Credits	Oakstone	3
5-27-21	Alcohol in the Anxious Age of COVID: Medications Against Self-Medications	1 AMA PRA Category 1 Credit	Pri-Med Institute	4
5-27-21	The Heart of the Matter: Primary and Secondary Prevention of Cardiovascular Disease in T2DM	1 AMA PRA Category 1 Credit	Pri-Med Institute	5
5-27-21	Out of Breath – The Case of a 23-Year-Old Woman with Shortness of Breath During Light Activities	0.75 AMA PRA Category 1 Credit	Pri-Med Institute	6

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Date(s)	Title	CE credits	Entity	Bate #
5-31-21	Curbside Cardiology Consult: Peripheral Artery Disease and Heart Failure	1.5 AMA PRA Category 1 Credit	Pri-Med Institute	7
6-1-21	What a Headache! New Approaches to Chronic Migraine Management	1.0 AMA PRA Category 1 Credit	Pri-Med Institute	8
6-2-21	Physician-Patient Communication and Bias Perspectives	1 AMA PRA Category 1 Credit	Pri-Med Institute	9
6-6-21	What a Headache! The Case of a 29 -year-old Woman with Worsening Migraine	0.75 AMA PRA Category 1 Credit	Webcast	18-21 Listed in credit tracker
6-13-21	Updates in Cardiology: Prevention and Screening	1.5 AMA PRA Category 1 Credits	Pri-Med Institute	10
6-13-21	Oh Man! Hypogonadism, BPH, and Erectile Dysfunction	1.0 AMA PRA Category 1 Credits	Pri-Med Institute	11

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Date(s)	Title	CE credits	Entity	Bate #
6-20-21	Top Questions I Get Asked About ... Acne/Rosacea and Diabetes	1.0 AMA PRA Category 1 Credit	Virtual CME Program	18-21 Listed in credit tracker
8-21-21 8-22-21	Adolescent Treatment, Inpatient/Outpatient; Assisting Juveniles in the Criminal Justice System	15 Hours of CE	American College of Addictionology and Compulsive Disorders	12
10-16-21 10-17-21	Integrative & Nutritional Strategies in Treating Addictions	15 Hours of CE	American College of Addictionology and Compulsive Disorders	13
3-25-23 3-26-23	Crisis Management & Intervention Models in Addictions	11 hrs. general; 2 hrs. suicide prevention; and 2 hrs. ethics	American College of Addictionology & Compulsive Disorders	14
4-18-23	#91763 – Bioterrorism: An Update for Healthcare Professionals	5 AMA PRA Category 1 Credits	NetCE	15

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Date(s)	Title	CE credits	Entity	Bate #
4-18-23	#96442 – Suicide Assessment and Prevention	6 AMA PRA Category 1 Credits	NetCE	16
4-19-23	#97430 – Cultural Competence: An Overview	2 AMA PRA Category 1 Credits	NetCE	17

With regards to paragraph 4.c.1.a.iii. and/or iv. of the *Settlement Agreement*, regarding Respondent complying with any terms and conditions of parole and probation and/or supervised release which may follow the incarceration/custody period, if any, related to the case of United States of America v. Simmon Lee Wilcox, United States District Court, District of Utah, Central Division, Case No. 2:13-cr-00717-TS-PMW, please find accompanying this letter as **Exhibit 3**, the *Judgment in a Criminal Case* filed May 12, 2016 (ECF #341, 7 pages), pages 4 of 7 and 5 of 7 set forth terms for supervised release, standard conditions of supervision, and special conditions of supervision.

Please call with any questions. Thank you in advance for your anticipated cooperation and courtesy.

Sincerely,

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John A. Hunt, Esq.

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Enclosed documents:

- * **Exhibit 1:** copy of *Settlement Agreement* with the Board, case no. 16-30572-1.
- * **Exhibit 2:** copy of documents regarding Dr. Wilcox's continuing education, bates numbered 1-21.
- * **Exhibit 3:** copy of *Judgment in a Criminal Case* filed May 12, 2016 (ECF #341, 7 pages) from the matter United States of America v. Simmon Lee Wilcox, United States District Court, District of Utah, Central Division, Case No. 2:13-cr-00717-TS-PMW.

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EXHIBIT 1

EXHIBIT 1

EXHIBIT 1

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

* * * * *

In the Matter of Charges and)	Case No. 16-30572-1
)	
Complaint Against)	
)	
SIMMON L. WILCOX, M.D.,)	
)	
Respondent.)	

SETTLEMENT AGREEMENT

THIS SETTLEMENT AGREEMENT ("Agreement") is hereby entered into by and between the Investigative Committee ("IC") of the Nevada State Board of Medical Examiners ("Board"), composed of Wayne Hardwick, M.D., Theodore B. Berndt, M.D., and M. Neil Duxbury, Public Member, in the above-captioned matter, by and through Robert Kilroy, Esq., General Counsel for the IC, and Simmon L. Wilcox, M.D. ("Respondent"), by and through John A. Hunt, Esq., counsel for Respondent:

WHEREAS, an Indictment was filed on October 23, 2013 ("Indictment"), in the matter of United States of America v. Simmon Lee Wilcox, Benjamin David Grisel, Brenda Ann Grisel, Jeron Scott Hales, Jeremy Daniel Perkins, and Randal David Ayrton, United States District Court, District of Utah, Central Division, Case No. 2:13-cr-00717-TS-PMW.¹ Respondent provided the Board with timely notice of the Indictment.

WHEREAS, following a jury trial involving Respondent only, a *Verdict Form* was filed on January 28, 2015, in the matter of United States of America v. Simmon Lee Wilcox, United District of Utah, Central Division, Case No. 2:13-cr-00717-TS-PMW, which notes the jury found

¹Each Defendant, with the exception of the Respondent, reached a plea deal with the Government wherein they each plead guilty to Count 1 of the Indictment (i.e., Conspiracy to Distribute Oxycodone, 21 U.S.C. §§ 841(a)(1) and 846).

1 Respondent guilty as to Count 1 of the Indictment (i.e., Conspiracy to Distribute Oxycodone, 21
2 U.S.C. §§ 841(a)(1) and 846) and guilty as to Count 2 of the Indictment (i.e., Distribution of
3 Oxycodone, 21 U.S.C. § 841(a)(1)).

4 Moreover, the *Verdict Form* reflects the jury found Respondent not guilty as to Count 8
5 (i.e., Distribution of Hydrocodone, 21 U.S.C. § 841(a)(1)), Count 9 (i.e., Distribution of
6 Hydrocodone, 21 U.S.C. § 841(a)(1)), and Count 10 (i.e., Distribution of Hydrocodone, 21 U.S.C.
7 § 841(a)(1)).

8 WHEREAS, following the filing of the *Verdict Form*, a sentencing hearing for
9 Respondent in the matter of United States of America v. Simmon Lee Wilcox, United States
10 District Court, District of Utah, Central Division, Case No. 2:13-cr-00717-TS-PMW, was set for
11 April 18, 2016.

12 WHEREAS, Respondent has received a copy of the Complaint in the above-captioned
13 matter (Case No. 16-30572-1), has reviewed it, understands it, has had ample opportunity to
14 consult with his above-identified counsel concerning the nature and significance of the Complaint
15 in Case No. 16-30572-1, and Respondent is fully aware concerning his rights and defenses to the
16 Complaint, as well as the possible sanctions that may be imposed if the Board finds and concludes
17 that he has violated one or more provisions of the Medical Practice Act ("MPA"), Nevada Revised
18 Statutes ("NRS") Chapter 630 and Nevada Administrative Code Chapter 630.

19 WHEREAS, Respondent has received a copy of the Indictment and a copy of the *Verdict*
20 *Form*, has reviewed them, understands them, and has had ample opportunity to consult with his
21 above-identified counsel concerning the nature and significance of the same with regards to
22 possible sanctions that may be imposed if the Board finds and concludes that he has violated one
23 or more provisions of the MPA as a result of the Indictment and/or *Verdict Form*.

24 WHEREAS, Respondent understands and agrees that this Agreement is entered into by
25 and between himself and the Board's IC, and not with the Board, but that the IC will present this
26 Agreement to the Board for consideration in open session at a meeting duly noticed and
27 scheduled, and that the IC shall advocate approval of this Agreement by the Board, but that the
28 Board has the right to decide in its own discretion whether or not to approve this Agreement; and

1 WHEREAS, Respondent understands and agrees that if the Board approves the terms,
2 covenants and conditions of this Agreement, then the terms, covenants and conditions enumerated
3 below shall be binding and enforceable upon him.

4 NOW THEREFORE, in order to resolve this matter and all charges alleged by the
5 Board's IC in the Complaint in Case No. 16-30572-1 and any and all matters relating to and any
6 and all matters that may be charged by the Board or the Board's IC by virtue of or in connection
7 with the above-referenced Indictment, the *Verdict Form*, and/or any sentencing/judgment
8 following the sentencing hearing currently scheduled for April 18, 2016, Respondent and the IC
9 hereby agree to the following terms, covenants and conditions:

10 1. Jurisdiction. Respondent is, and at all times mentioned in the Complaint in Case
11 No. 16-30572-1, and at all times relevant with respect to the filing of the above-referenced
12 Indictment, the *Verdict Form* and/or any sentencing/judgment following the sentencing hearing
13 currently scheduled for April 18, 2016, Respondent was, a physician licensed to practice medicine
14 in the state of Nevada subject to the jurisdiction of the Board to hear and adjudicate charges of
15 violations of the MPA and to impose sanctions as provided by the MPA.

16 2. Representation by Counsel/Knowing, Willing and Intelligent Agreement.

17 Respondent is represented by above-identified legal counsel in this matter and has had
18 ample opportunity to review this Agreement, the Complaint in Case No. 16-30572-1, the above-
19 referenced Indictment and the *Verdict Form* (as well as consider the sentencing hearing currently
20 scheduled for April 18, 2016), and the related factual basis with regards to the same with said
21 legal counsel, John A. Hunt, Esq. Respondent covenants and agrees that he knowingly, willingly
22 and intelligently enters into this Agreement.

23 3. Waiver of Rights. In connection with this Agreement, and the terms, covenants,
24 and conditions contained herein, Respondent knowingly, willingly and intelligently waives all
25 rights arising under or pursuant to the United States Constitution, the Constitution of the state of
26 Nevada, NRS Chapter 630, NRS Chapter 233B, and any other statutory rights that may be
27 available to him or that may apply to him in connection with the proceedings on the Complaint in
28 Case No. 16-30572-1, the Indictment, the *Verdict Form*, and/or any sentencing/judgment

1 following the sentencing hearing currently scheduled for April 18, 2016, the defense of said
2 Complaint in Case No. 16-30572-1, and the adjudication of the charges in said Complaint in Case
3 No. 16-30572-1.

4 In connection with this Agreement, and the terms, covenants, and conditions contained
5 herein, Respondent knowingly, willingly, and intelligently waives all rights arising under or
6 pursuant to the United States Constitution, the Constitution of the state of Nevada, NRS Chapter
7 630, NRS Chapter 233B, and any other statutory rights that may be available to him or that may
8 apply to him in connection with the proceedings herein and/or any and all matters relating to and
9 any and all matters that may be charged by the Board or the Board's IC by virtue of or in
10 connection with the above-referenced Indictment, the *Verdict Form*, any sentencing/judgment
11 following the sentencing hearing currently scheduled for April 18, 2016, and the defense of the
12 same in this administrative context.

13 4. Consent to Entry of Order. Respondent concedes only that the Board has
14 sufficient evidence to proceed with its formal Complaint in Case No. 16-30572-1 against him, and
15 that by virtue of the Indictment, the *Verdict Form* and the sentencing/judgment following the
16 sentencing hearing currently scheduled for April 18, 2016, the Board also has sufficient evidence
17 to bring additional allegations against Respondent, but does not concede or admit to such
18 allegations, which he expressly denies, and which, but for his desire to reach this compromise, he
19 would contest at a formal hearing of these matters (i.e., the Complaint in Case No. 16-30572-1 as
20 well as any and all matters that could be alleged by the Board or the IC with regards to the
21 Indictment, the *Verdict Form* and the sentencing/judgment following the sentencing hearing
22 currently scheduled for April 18, 2016). Accordingly, in order to resolve these matters without
23 incurring further costs and expense of providing a defense to the Complaint, Case No. 16-30572-
24 1, Respondent hereby agrees² that the Board may issue an order finding that Respondent engaged
25 in conduct that is grounds for discipline pursuant to the MPA, and agrees:

26 _____
27 ²All admissions made by Respondent are solely for final disposition of this matter and any subsequent related
28 administrative proceedings or civil litigation involving the Board and Respondent. Therefore, said admissions by
Respondent are not intended or made for any other use, such as in the context of another state or federal government
regulatory agency proceeding, state or federal civil or criminal court proceeding, or any other state or federal court
proceeding, or any credentialing or privileges matter.

1 a. The Board may find that Respondent engaged in conduct that is grounds for
2 discipline pursuant to the MPA, to wit: Respondent being found guilty as to Count 1 of the
3 Indictment (i.e., Conspiracy to Distribute Oxycodone, 21 U.S.C. §§ 841(a)(1) and 846) and guilty
4 as to Count 2 of the Indictment (i.e., Distribution of Oxycodone, 21 U.S.C. § 841(a)(1)), which are
5 violations of NRS 630.301(9).

6 b. Pursuant to NRS 630.352(4)(d), Respondent agrees that if he is sentenced
7 to probation and/or supervised release at the sentencing hearing currently scheduled for April
8 18, 2016, in the matter of United States of America v. Simmon Lee Wilcox, United States District
9 Court, District of Utah, Central Division, Case No. 2:13-cr-00717-TS-PMW, that effective on said
10 date, the following shall apply³:

11 1. Respondent agrees to accept a stayed suspension of his license to
12 practice medicine in the state of Nevada for a period of six (6) months. If, during the term of
13 Respondent's six (6) months' stayed suspension, the IC receives substantial evidence that
14 Respondent has materially breached the terms and conditions of this Agreement, Respondent
15 agrees the IC, without any further hearing or action by the Board, shall issue an order suspending
16 Respondent's license to practice medicine in the state of Nevada. Thereafter, Respondent may
17 request a hearing before the Board to reinstate his license, which must be heard within forty-five
18 (45) days of the Order of Suspension. However, during the pendency of the hearing before the
19 Board, Respondent waives any right to seek judicial review (state or federal) to reinstate his
20 privilege to practice medicine in the state of Nevada pending a final Board hearing;

21 2. Pursuant to NRS 630.352(4)(a), Respondent agrees to being placed
22 on probation with the Nevada State Board of Medical Examiners pursuant to the terms and
23 conditions issued by the United States District Court in the matter of United States of America v.
24 Simmon Lee Wilcox, United States District Court, District of Utah, Central Division, Case No.
25 2:13-cr-00717-TS-PMW. Within thirty (30) days of the sentencing hearing, Respondent shall

26 ³So there is no misunderstanding, Respondent, the Board, and the IC recognize and agree the terms and conditions of
27 Paragraph 4.b. and all of its subparts shall apply and be applicable only if Respondent is sentenced to probation
28 and/or supervised release in the matter of United States of America v. Simmon Lee Wilcox, United States District
Court, District of Utah, Central Division, Case No. 2:13-cr-00717-TS-PMW, and, accordingly, if Respondent is
sentenced to probation and/or supervised release, the terms and conditions of Paragraph 4.c. (and its subparts) shall
not apply and shall not be effective.

1 provide a copy of this Agreement to the office of Federal Parole and Probation and/or any other
2 applicable office/department. Respondent shall also execute any documents necessary authorizing
3 the office of Federal Parole and Probation and/or any other applicable office/department to release
4 any and all reports generated regarding Respondent's compliance with the terms and conditions of
5 Respondent's federal probation and/or supervised release. Once Respondent is given written
6 notice of his completion of his federal probation and/or supervised release, Respondent shall
7 submit the written notice to the Investigative Committee. Upon receipt of the written notice of
8 completion of Respondent's federal probation and/or supervised release, the Board shall issue an
9 Order reinstating Respondent's license to the status of "active" without restriction. If, during the
10 term of Respondent's federal probation and/or supervised release, the IC receives substantial
11 evidence that Respondent has materially breached the terms and conditions of his federal
12 probation and/or supervised release, Respondent agrees the IC, without any further hearing or
13 action by the Board, shall issue an order suspending Respondent's license to practice medicine in
14 the state of Nevada. Thereafter, Respondent may request a hearing before the Board to reinstate
15 his license, which must be heard within forty-five (45) days of the Order of Suspension.
16 However, during the pendency of the hearing before the Board, Respondent waives any right to
17 seek judicial review (state or federal) to reinstate his privilege to practice medicine in the state of
18 Nevada pending a final Board hearing.

19 3. Pursuant to NRS 622.400, Respondent shall reimburse to the Board
20 the sum of \$998.46, the amount of the costs incurred by the Board to investigate and prosecute
21 this matter, along with the costs to conclude the matter, if any. Respondent further agrees that
22 these costs shall be paid to the Board within ninety (90) days of the sentencing in the federal
23 matter of United States of America v. Simmon Lee Wilcox, United States District Court, District
24 of Utah, Central Division, Case No. 2:13-cr-00717-TS-PMW.

25 c. Pursuant to NRS 630.352(4)(e), Respondent agrees that if he is sentenced
26 to incarceration/custody at the sentencing hearing currently scheduled for April 18, 2016, in the
27 matter of United States of America v. Simmon Lee Wilcox, United States District Court, District
28

1 of Utah, Central Division, Case No. 2:13-cr-00717-TS-PMW, that effective on the date that he
2 presents to begin his incarceration/custody sentence, the following shall apply⁴:

3 1. Respondent's license to practice medicine in the state of Nevada
4 shall be revoked, pursuant to the terms and conditions set forth below.

5 a. Following his release from incarceration/custody,
6 Respondent may petition the Board to reinstate Respondent's license to practice medicine in the
7 state of Nevada pursuant to the following terms and conditions:

8 i. Pursuant to NRS 622.400, Respondent shall
9 reimburse to the Board the sum of \$998.46, the amount of the costs incurred by the Board to
10 investigate and prosecute this matter, along with the costs to conclude the matter, if any.
11 Respondent must pay these costs prior to petitioning the Board for reinstatement of Respondent's
12 license to practice medicine in the state of Nevada;

13 ii. Respondent must submit proof that Respondent has
14 complied with required continuing education requirements while incarcerated/in-custody;

15 iii. Pursuant to NRS 630.352(4)(a) in addition to any
16 additional terms the Board deems appropriate in the event the Board reinstates Respondent's
17 license to practice medicine in the state of Nevada, Respondent shall be placed on probation for a
18 period of one (1) year. Respondent shall also comply with any terms and conditions of parole and
19 probation and/or supervised release which may follow the incarceration/custody period, if any,
20 related to the case of United States of America v. Simmon Lee Wilcox, United States District
21 Court, District of Utah, Central Division, Case No. 2:13-cr-00717-TS-PMW. Within thirty (30)
22 days of Respondent's release from incarceration/custody, Respondent shall provide a copy of this
23 Agreement to the office of Federal Parole and Probation and/or any other applicable
24 office/department. Respondent shall also execute any documents necessary authorizing the office
25 of Federal Parole and Probation and/or any other applicable office/department to release any and

26
27 ⁴So there is no misunderstanding, Respondent, the Board, and the IC recognize and agree the terms and conditions of
28 Paragraph 4.c. and all of its subparts shall apply and be applicable only if Respondent is sentenced to
incarceration/custody in the matter of United States of America v. Simmon Lee Wilcox, United States District Court,
District of Utah, Central Division, Case No. 2:13-cr-00717-TS-PMW, and, accordingly, if Respondent is sentenced to
incarceration/custody, the terms and conditions of Paragraph 4.b. (and its subparts) shall not apply and shall not be
effective.

1 all reports generated regarding Respondent's compliance with the terms and conditions of
2 Respondent's federal probation and/or supervised release following his incarceration/custody.
3 ~~Once Respondent is given written notice of his completion of his federal probation and/or~~
4 supervised release following his incarceration/custody, Respondent shall submit the written notice
5 to the Investigative Committee. Upon receipt of the written notice of completion of federal
6 probation and/or supervised release following his incarceration/custody and Respondent's
7 completion of the one (1) year of probation relative to Respondent's Nevada medical license, the
8 Board shall issue an Order reinstating Respondent's license to the status of "active" without
9 restriction. If, during the term of Respondent's federal probation and/or supervised release
10 following his incarceration/custody or Respondent's Nevada medical license probation, the IC
11 receives substantial evidence that Respondent has materially breached the terms and conditions of
12 either probation and/or supervised release following his incarceration/custody, Respondent agrees
13 the IC, without any further hearing or action by the Board, shall issue an order suspending
14 Respondent's license to practice medicine in the state of Nevada. Thereafter, Respondent may
15 request a hearing before the Board to reinstate his license, which must be heard within forty-five
16 (45) days of the Order of Suspension. However, during the pendency of the hearing before the
17 Board, Respondent waives any right to seek judicial review (state or federal) to reinstate his
18 privilege to practice medicine in the state of Nevada pending a final Board hearing.

19 iv. Respondent agrees he shall submit to the Board any
20 and all documentation regarding any of the terms and conditions of parole and probation and/or
21 supervised release following his incarceration/custody related to the case of United States of
22 America v. Simmon Lee Wilcox, United States District Court, District of Utah, Central Division,
23 Case No. 2:13-cr-00717-TS-PMW upon Respondent's release from incarceration/custody.

24 d. Pursuant to NRS 630.352(4)(b), Respondent agrees the Board shall
25 administer a formal written public reprimand which will include language which is synonymous
26 with the terms of this Agreement.

27 e. Respondent and the Board agree that this Agreement does not involve facts
28 or circumstances relating to the delivery of health care to Respondent's former patients.

1 f. This Agreement fully and completely resolves all matters contained in the
2 Complaint in Case No. 16-30572-1.

3 g. This Agreement fully and completely resolves all matters that have or may
4 be alleged by the Board or the Board's IC against Respondent with regards to the Indictment, the
5 *Verdict Form* and/or any sentencing/judgment following the sentencing hearing currently
6 scheduled for April 18, 2016.

7 h. The terms of this Agreement shall be reported as required by law.

8 5. Release From Liability. In execution of this Agreement, the Respondent, for
9 himself, his executors, successors and assigns, hereby releases and forever discharges the state of
10 Nevada, the Board, the Nevada Attorney General, and each of their members, agents and
11 employees in their representative capacities, and in their individual capacities, from any and all
12 manner of actions, causes of action, suits, debts, judgments, executions, claims and demands
13 whatsoever, known and unknown, in law or equity, that Respondent ever had, now has, may have
14 or claim to have, against any or all of the persons or entities named in this paragraph arising out of
15 or by reason of this investigation, this Agreement or its administration.

16 6. Procedure for Adoption of Agreement. The IC and counsel for the IC shall
17 recommend approval and adoption of the terms, covenants and conditions contained herein by the
18 Board in resolution of the matters referenced herein and above. In the course of seeking Board
19 approval, adoption and/or acceptance of this Agreement, counsel for the IC may communicate
20 directly with the Board staff and members of the panel of the Board who would adjudicate this
21 case if it were to go to hearing. Respondent acknowledges that such contacts and communication
22 may be made or conducted ex parte, without notice or opportunity to be heard on his part or on the
23 part of his counsel until the public Board meeting where this Agreement is discussed, and that
24 such contacts and communications may include, but not be limited to, matters concerning this
25 Agreement, the Complaint in Case No. 16-30572-1, the Indictment, the *Verdict Form*, the
26 sentencing hearing currently scheduled for April 18, 2016, and any and all information of every
27 nature whatsoever related to the same or the proceedings herein against Respondent. The IC and
28 its counsel agree that Respondent and/or his counsel may appear at the Board meeting where this

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11. Attorneys' Fees and Costs. Respondent covenants and agrees that in the event an action is commenced in the district court to enforce any provision of this Agreement, the prevailing party shall be entitled to recover costs and reasonable attorneys' fees.

12. Failure to Comply with Terms. In the event the Board enters its order approving this Agreement, should Respondent fail to comply with any term or condition recited herein, the Board shall be authorized to immediately suspend Respondent's license to practice medicine in the state of Nevada pending an order to show cause hearing, which will be duly noticed. Further, failure to comply with the terms recited herein may result in additional disciplinary action being initiated against Respondent for a violation of an order of the Board in accordance with NRS 630.3065(2)(a). Moreover, the failure of Respondent to reimburse the Board for monies agreed to be paid as a condition of settlement may subject Respondent to civil collection efforts.

Dated this 12 day of April, 2016.

Dated this 12 day of April, 2016.

By: [Signature]
Robert Kilroy, Esq.
General Counsel for the Investigative Committee

By: [Signature]
John A. Hunt, Esq.
Attorney for Respondent

UNDERSTOOD AND AGREED:

[Signature]
Simmon Lee Wilcox, M.D., Respondent

H:\WDDOCS\7213\39529\LV197646.DOCX

EXHIBIT 2

EXHIBIT 2

EXHIBIT 2



CERTIFICATE OF CREDIT

Pri-Med Institute, the accredited division of Pri-Med, certifies that

Name: Simmon Wilcox

has completed the enduring educational activity titled

Activity Title: Jeopardy! GLP-1 RA Edition

on

Date of Activity: May 02, 2021

and has been awarded 0.50 AMA PRA Category 1 Credits™.

Pri-Med Institute is accredited by the Accreditation Council for Continuing Medical Education (ACCME) to provide continuing medical education for physicians.

Mindi Dalga, MBA
Vice President of Accreditation
support@pri-med.com



CERTIFICATE OF CREDIT

Pri-Med Institute, the accredited division of Pri-Med, certifies that

Name: Simmon Wilcox

has completed the enduring educational activity titled

Activity Title: Clinical Coffee Break: The What and Why of GLP-1 RA in Cardiovascular

Risk Reduction (An Interactive Video Experience)

on

Date of Activity: May 02, 2021

and has been awarded 0.50 AMA PRA Category 1 Credits™.

Pri-Med Institute is accredited by the Accreditation Council for Continuing Medical Education (ACCME) to provide continuing medical education for physicians.

Mindi Dalga, MBA
Vice President of Accreditation
support@pri-med.com



Oakstone Publishing certifies that

Simmon Wilcox

has participated in the enduring material titled

328 - Comprehensive Review of Family Medicine

On 05-17-2021 and is awarded *62.75 AMA PRA Category 1 Credits™*

Date of Original Release: July 31, 2019

Oakstone Publishing is accredited by the Accreditation Council for Continuing Medical Education to provide continuing medical education for physicians.

Oakstone Publishing designates this enduring material for a maximum of *62.75 AMA PRA Category 1 Credits™*. Physicians should claim only the credit commensurate with the extent of their participation in the activity.

This Enduring Material activity, Comprehensive Review of Family Medicine, has been reviewed and is acceptable for up to 62.75 Prescribed credit(s) by the American Academy of Family Physicians. AAFP certification begins 08/01/2020. Term of approval is for one year from this date. Physicians should claim only the credit commensurate with the extent of their participation in the activity.

Donald L Deye, MD, FACP
Medical Director
Oakstone Publishing

Oakstone Publishing
phone: 800.633.4743

Two Perimeter Park South, Suite 160 East
fax: 805.995.1926

Birmingham, AL 35243
email: OakstoneService@Ebix.com



CERTIFICATE OF CREDIT

Pri-Med Institute, the accredited division of Pri-Med, certifies that

Name: Simmon Wilcox

has completed the enduring educational activity titled

Activity Title: Alcohol in the Anxious Age of COVID: Medications Against

Self-Medications

on

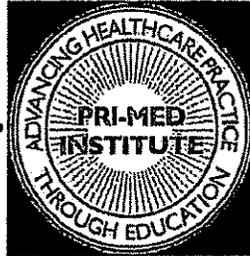
Date of Activity: May 27, 2021

and has been awarded 1.00 AMA PRA Category 1 Credits™.

Pri-Med Institute is accredited by the Accreditation Council for Continuing Medical Education (ACCME) to provide continuing medical education for physicians.

Mindi Daiga, MBA
Vice President of Accreditation
support@pri-med.com





CERTIFICATE OF CREDIT

Pri-Med Institute, the accredited division of Pri-Med, certifies that

Name: Simmon Wilcox

has completed the enduring educational activity titled

Activity Title: The Heart of the Matter: Primary and Secondary Prevention of

Cardiovascular Disease in T2DM

on

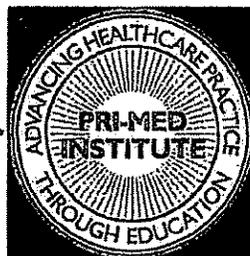
Date of Activity: May 27, 2021

and has been awarded 1.00 AMA PRA Category 1 Credits™.

Pri-Med Institute is accredited by the Accreditation Council for Continuing Medical Education (ACCME) to provide continuing medical education for physicians.

Mindi Daiga, MBA
Vice President of Accreditation
support@pri-med.com





CERTIFICATE OF CREDIT

Pri-Med Institute, the accredited division of Pri-Med, certifies that

Name: Simmon Wilcox

has completed the enduring educational activity titled

Activity Title: Out of Breath – The Case of a 23-Year-Old Woman with Shortness of Breath

During Light Activities

on

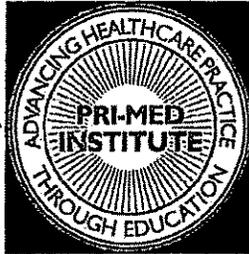
Date of Activity: May 27, 2021

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Pri-Med Institute is accredited by the Accreditation Council for Continuing Medical Education (ACCME) to provide continuing medical education for physicians.

Mindi Daiga, MBA
Vice President of Accreditation
support@pri-med.com





CERTIFICATE OF CREDIT

Pri-Med Institute, the accredited division of Pri-Med, certifies that

Name: Simmon Wilcox

has completed the enduring educational activity titled

Activity Title: Curbside Cardiology Consult: Peripheral Artery Disease and Heart Failure

on

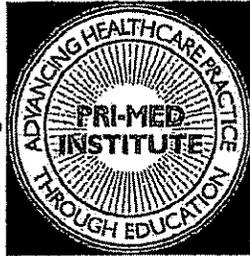
Date of Activity: May 31, 2021

and has been awarded 1.50 AMA PRA Category 1 Credits™.

Pri-Med Institute is accredited by the Accreditation Council for Continuing Medical Education (ACCME) to provide continuing medical education for physicians.

Mindi Daiga, MBA
Vice President of Accreditation
support@pri-med.com





CERTIFICATE OF CREDIT

Pri-Med Institute, the accredited division of Pri-Med, certifies that

Name: Simmon Wilcox

has completed the enduring educational activity titled

Activity Title: What a Headache! New Approaches to Chronic Migraine Management

on

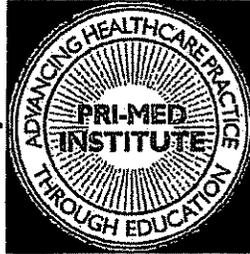
Date of Activity: June 01, 2021

and has been awarded 1.00 *AMA PRA Category 1 Credits™*.

Pri-Med Institute is accredited by the Accreditation Council for Continuing Medical Education (ACCME) to provide continuing medical education for physicians.

Mindi Daiga, MBA
Vice President of Accreditation
support@pri-med.com





CERTIFICATE OF CREDIT

Pri-Med Institute, the accredited division of Pri-Med, certifies that

Name: Simmon Wilcox

has completed the enduring educational activity titled

Activity Title: Physician-Patient Communication and Bias Perspectives

on

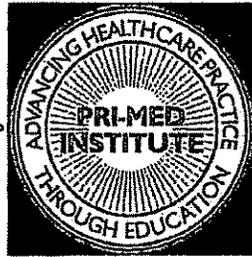
Date of Activity: June 02, 2021

and has been awarded 1.00 *AMA PRA Category 1 Credits™*.

Pri-Med Institute is accredited by the Accreditation Council for Continuing Medical Education (ACCME) to provide continuing medical education for physicians.

Mindi Daiga, MBA
Vice President of Accreditation
support@pri-med.com





CERTIFICATE OF CREDIT

Pri-Med Institute, the accredited division of Pri-Med, certifies that

Name: Simmon Wilcox

has completed the enduring educational activity titled

Activity Title: Updates in Cardiology: Prevention and Screening

on

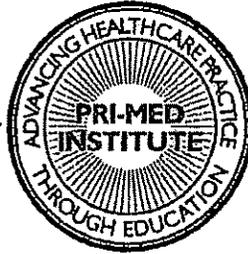
Date of Activity: June 13, 2021

and has been awarded 1.50 *AMA PRA Category 1 Credits™*.

Pri-Med Institute is accredited by the Accreditation Council for Continuing Medical Education (ACCME) to provide continuing medical education for physicians.

Mindi Daiga, MBA
Vice President of Accreditation
support@pri-med.com





CERTIFICATE OF CREDIT

Pri-Med Institute, the accredited division of Pri-Med, certifies that

Name: Simmon Wilcox

has completed the enduring educational activity titled

Activity Title: Oh Man! Hypogonadism, BPH, and Erectile Dysfunction

on

Date of Activity: June 13, 2021

and has been awarded 1.00 AMA PRA Category 1 Credits™.

Pri-Med Institute is accredited by the Accreditation Council for Continuing Medical Education (ACCME) to provide continuing medical education for physicians.

Mindi Daiga, MBA
Vice President of Accreditation
support@pri-med.com

***American College of Addictionology &
Compulsive Disorders***

Certificate of Attendance

SIMMON WILCOX

Has been awarded 15 Hours of continuing Education Units

For completing a Post Graduate Course in

***"ADOLESCENT TREATMENT, INPATIENT/OUTPATIENT;
ASSISTING JUVENILES IN THE
CRIMINAL JUSTICE SYSTEM"***

Held In Las Vegas, Nevada

August 21 - 22, 2021

Rita Holder

Registrar

3303 FLAMINGO DR
MIAMI BEACH, FL 33140
PHONE 305-535-8803
FAX 305-538-2204

***American College of Addictionology &
Compulsive Disorders***

Certificate of Attendance

SIMMON WILCOX

Has been awarded 15 Hours of continuing Education Units

For completing a Post Graduate Course in

***"Integrative & Nutritional Strategies in
Treating Addictions"***

Held on October 16 & 17, 2021

In

Las Vegas, NV

Rita Holder

Registrar

3303 FLAMINGO DR
MIAMI BEACH, FL 33140
PHONE 305-535-8803
FAX 305-538-2204

**American College of Addictionology
& Compulsive Disorders**

Certificate of Attendance

In appreciation of your participation

Simmon Wilcox

Has completed a 15 hours course in

***“Crisis Management & Intervention Models in
Addictions”***

11 Hrs. General

2 Hrs. Suicide Prevention

2 Hrs. Ethics

Held on March 25 & 26, 2023

In Las Vegas, NV

Rita Holder

Registrar

3303 FLAMINGO DR
MIAMI BEACH, FL 33140
PHONE 305-535-8803
FAX 305-538-2204

Certificate of Completion

NetCE certifies that
 Simmon Lee Wilcox 11588
 has participated in the enduring material titled
 #91763 Bioterrorism: An Update for Healthcare Professionals
 on April 18, 2023
 and is awarded 5
 AMA PRA Category 1 Credit(s)[™].



In support of improving patient care, NetCE is jointly accredited by the Accreditation Council for Continuing Medical Education (ACCME), the Accreditation Council for Pharmacy Education (ACPE), and the American Nurses Credentialing Center (ANCC), to provide continuing education for the healthcare team.

JOINTLY ACCREDITED PROVIDER
 MULTIPROFESSIONAL CONTINUING EDUCATION

Florida CE Broker Provider #50-2405, Board of Medicine.

This course fulfills the 4 hour Bioterrorism requirement for Nevada healthcare professionals. This activity is designed to comply with the requirements of California Assembly Bill 1195, Cultural and Linguistic Competency.

Sarah Campbell
 Sarah Campbell

Director of Development and Academic Affairs



NetCE

a trihealthcare brand

Certificate of Completion

NetCE certifies that
Simmon Lee Wilcox 11588
has participated in the enduring material titled
#96442 Suicide Assessment and Prevention
on April 18, 2023
and is awarded 6
AMA PRA Category 1 Credit(s)™.



In support of improving patient care, NetCE is jointly accredited by the Accreditation Council for Continuing Medical Education (ACCME), the Accreditation Council for Pharmacy Education (ACPE), and the American Nurses Credentialing Center (ANCC), to provide continuing education for the healthcare team.

JOINTLY ACCREDITED PROVIDER
INTERPROFESSIONAL CONTINUING EDUCATION

Florida CE Broker Provider #50-2405, Board of Medicine.

This course is approved by the Nevada State Board of Medical Examiners to fulfill 2 hours of education on suicide prevention and awareness.

This course is approved by the State of Washington Department of Health to fulfill the requirement for Suicide Prevention training for healthcare professionals. Approval number TRNG.TG.60715375-SUIC. This activity is designed to comply with the requirements of California Assembly Bill 1195, Cultural and Linguistic Competency.


Sarah Campbell
Director of Development and Academic Affairs

 **NetCE**
a healthcare brand

Certificate of Completion

NetCE certifies that
Simmon Lee Wilcox 11588
has participated in the enduring material titled
#97430 Cultural Competence: An Overview
on April 19, 2023
and is awarded 2
AMA PRA Category 1 Credit(s)[™].

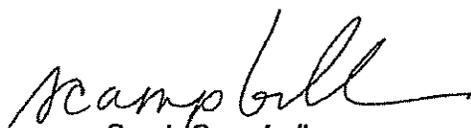


In support of improving patient care, NetCE is jointly accredited by the Accreditation Council for Continuing Medical Education (ACCME), the Accreditation Council for Pharmacy Education (ACPE), and the American Nurses Credentialing Center (ANCC), to provide continuing education for the healthcare team.

JOINTLY ACCREDITED PROVIDER
OF INTERPROFESSIONAL CONTINUING EDUCATION

Florida CE Broker Provider #50-2405, Board of Medicine.

This activity is designed to comply with the requirements of California Assembly Bill 1195, Cultural and Linguistic Competency.


Sarah Campbell

Director of Development and Academic Affairs



NetCE

a trihealthcare brand

Credit Tracker

1 - 12 of 14 results

ALL

CME ONLINE 12

EXTERNAL CME 1

CURRICULA 1

My Credits

TOTAL 2021 ▾

74.25

CME CREDITS

74.25

edits™

Add External Credit

Legend

AAFP:

American Academy of Family Physicians prescribed credits

AANP:

AANP Pharm:

AANP Pharmacology credit

AMA:

AMA PRA Category 1 Credit™

COA:

Certificate of Attendance

ABIM MOC:

American Board of Internal Medicine Maintenance of Certification credits

State License CME/CE Requirements for Physicians, Nurse Practitioners, and Physician Assistants

The following links are provided as a resource for your state CME/CE license requirements. Please verify all information with your state licensing agency.

Physicians

Physician Assistants

Nurse Practitioners

Credit Type

All

Date Range

All

06/20/2021

Top Questions I Get Asked About... Acne/Rosacea and Diabetes
Virtual CME Program

AMA PRA Category 1 Credits™

1.00 Credits



06/13/2021

Updates in Cardiology: Prevention and Screening
Virtual CME Program

AMA PRA Category 1 Credits™

1.50 Credits



✓ 06/13/2021

Oh Man! Hypogonadism, BPH, and Erectile Dysfunction
Virtual CME Program

AMA PRA Category 1 Credits™ 1.00 Credits



○ 06/06/2021

What a Headache! The Case of a 29-year-old Woman with Worsening Migraine
Webcast

AMA PRA Category 1 Credits™ 0.75 Credits



✓ 06/02/2021

Physician-Patient Communication and Bias Perspectives
Virtual CME Program

AMA PRA Category 1 Credits™ 1.00 Credits



✓ 06/01/2021

What a Headache! New Approaches to Chronic Migraine Management
Webcast

AMA PRA Category 1 Credits™ 1.00 Credits



✓ 05/31/2021

Curbside Cardiology Consult: Peripheral Artery Disease and Heart Failure
Virtual CME Program

AMA PRA Category 1 Credits™ 1.50 Credits



✓ 05/27/2021

The Heart of the Matter: Primary and Secondary Prevention of Cardiovascular Disease in T2DM

Webcast

AMA PRA Category 1 Credits™

1.00 Credits



X 05/27/2021

Addressing Cardiovascular Risk in Patients with Type 2 Diabetes

Credits

✓ 05/27/2021

Out of Breath – The Case of a 23-Year-Old Woman with Shortness of Breath During Light Activities

Patient Case Study

AMA PRA Category 1 Credits™

0.75 Credits



✓ 05/27/2021

Alcohol in the Anxious Age of COVID: Medications Against Self-Medications

Virtual CME Program

AMA PRA Category 1 Credits™

1.00 Credits



✓ 05/17/2021

Oakstone

AMA PRA Category 1 Credits™

62.75 Credits



EXHIBIT 3

EXHIBIT 3

EXHIBIT 3

UNITED STATES DISTRICT COURT
U.S. DISTRICT COURT
District of Utah

UNITED STATES OF AMERICA
v.
SIMMON LEE WILCOX

2016 MAY 12 A J 6:39
JUDGMENT IN A CRIMINAL CASE
DISTRICT OF UTAH

BY: _____) Case Number: DUTX 2:13CR00717-001 TS
DEPUTY CLERK)
USM Number: 20524-081
_____) Brian T. Frees
_____) Defendant's Attorney

THE DEFENDANT:

- pleaded guilty to count(s) _____
- pleaded nolo contendere to count(s) _____
which was accepted by the court.
- was found guilty on count(s) 1 and 2 of the indictment
after a plea of not guilty.

The defendant is adjudicated guilty of these offenses:

Title & Section	Nature of Offense	Offense Ended	Count
21 U.S.C. § 841(a)(1) & (b)(1)(C)	Conspiracy to Distribute Oxycodone	3/15/2013	1
21 U.S.C. § 841(a)(1) & (b)(1)(C)	Conspiracy to Distribute Oxycodone (cont. Johnexl Page)	3/15/2013	2

The defendant is sentenced as provided in pages 2 through 7 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

- The defendant has been found not guilty on count(s) 8-10 of the indictment
- Count(s) _____ is are dismissed on the motion of the United States.

It is ordered that the defendant must notify the United States attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid. If ordered to pay restitution, the defendant must notify the court and United States attorney of material changes in economic circumstances.

5/9/2016

Date of Imposition of Judgment

Signature of Judge

Honorable Ted Stewart, U.S. District Judge

Name and Title of Judge

5/11/2016

Date



DEFENDANT: SIMMON LEE WILCOX
CASE NUMBER: DUTX 2:13CR00717-001 TS

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a total term of:

100 MONTHS.

The court makes the following recommendations to the Bureau of Prisons:

The defendant is remanded to the custody of the United States Marshal.

The defendant shall surrender to the United States Marshal for this district:

at _____ a.m. p.m. on _____.

as notified by the United States Marshal.

The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons:

before 2 p.m. on 8/12/2016.

as notified by the United States Marshal.

as notified by the Probation or Pretrial Services Office.

RETURN

I have executed this judgment as follows:

Defendant delivered on _____ to _____

on _____, with a certified copy of this judgment.

UNITED STATES MARSHAL

By _____
DEPUTY UNITED STATES MARSHAL

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SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of :
3 YEARS on Counts 1 and 2, to run concurrently.

The defendant must report to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.

The defendant shall not commit another federal, state or local crime.

The defendant shall not unlawfully possess a controlled substance. The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as determined by the court.

- The above drug testing condition is suspended, based on the court's determination that the defendant poses a low risk of future substance abuse. *(Check, if applicable.)*
- The defendant shall not possess a firearm, ammunition, destructive device, or any other dangerous weapon. *(Check, if applicable.)*
- The defendant shall cooperate in the collection of DNA as directed by the probation officer. *(Check, if applicable.)*
- The defendant shall comply with the requirements of the Sex Offender Registration and Notification Act (42 U.S.C. § 16901, *et seq.*) as directed by the probation officer, the Bureau of Prisons, or any state sex offender registration agency in which he or she resides, works, is a student, or was convicted of a qualifying offense. *(Check, if applicable.)*
- The defendant shall participate in an approved program for domestic violence. *(Check, if applicable.)*

If this judgment imposes a fine or restitution, it is a condition of supervised release that the defendant pay in accordance with the Schedule of Payments sheet of this judgment.

The defendant must comply with the standard conditions that have been adopted by this court as well as with any additional conditions on the attached page.

STANDARD CONDITIONS OF SUPERVISION

- 1) the defendant shall not leave the judicial district without the permission of the court or probation officer;
- 2) the defendant shall report to the probation officer in a manner and frequency directed by the court or probation officer;
- 3) the defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
- 4) the defendant shall support his or her dependents and meet other family responsibilities;
- 5) the defendant shall work regularly at a lawful occupation, unless excused by the probation officer for schooling, training, or other acceptable reasons;
- 6) the defendant shall notify the probation officer at least ten days prior to any change in residence or employment;
- 7) the defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any controlled substance or any paraphernalia related to any controlled substances, except as prescribed by a physician;
- 8) the defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered;
- 9) the defendant shall not associate with any persons engaged in criminal activity and shall not associate with any person convicted of a felony, unless granted permission to do so by the probation officer;
- 10) the defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view of the probation officer;
- 11) the defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer;
- 12) the defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court; and
- 13) as directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.
- 14) The defendant shall submit his or her person, residence, office or vehicle to search, conducted by the probation office in a reasonable and in a reasonable manner based upon reasonable suspicion of contraband or evidence of a violation of a condition of release; failure to submit to a search may be grounds to revoke; the defendant shall warn any other residents that the premises may be subject to searches pursuant to this condition

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SPECIAL CONDITIONS OF SUPERVISION

1. The defendant is to inform any employer or prospective employer of current conviction and supervision status.
2. The defendant shall not enter into any self-employment while under supervision without prior approval of the U.S. Probation Office.
3. The defendant shall refrain from incurring new credit charges or opening additional lines of credit unless in compliance with any established payment schedule and obtains the approval of the probation office.
4. The defendant shall provide the U.S. Probation Office complete access to all business and personal financial information.

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SCHEDULE OF PAYMENTS

Having assessed the defendant's ability to pay, payment of the total criminal monetary penalties is due as follows:

- A Lump sum payment of \$ 200.00 due immediately, balance due
- not later than _____, or
 in accordance C, D, E, or F below; or
- B Payment to begin immediately (may be combined with C, D, or F below); or
- C Payment in equal _____ (e.g., weekly, monthly, quarterly) installments of \$ _____ over a period of _____ (e.g., months or years), to commence _____ (e.g., 30 or 60 days) after the date of this judgment; or
- D Payment in equal _____ (e.g., weekly, monthly, quarterly) installments of \$ _____ over a period of _____ (e.g., months or years), to commence _____ (e.g., 30 or 60 days) after release from imprisonment to a term of supervision; or
- E Payment during the term of supervised release will commence within _____ (e.g., 30 or 60 days) after release from imprisonment. The court will set the payment plan based on an assessment of the defendant's ability to pay at that time; or
- F Special instructions regarding the payment of criminal monetary penalties:

Unless the court has expressly ordered otherwise, if this judgment imposes imprisonment, payment of criminal monetary penalties is due during imprisonment. All criminal monetary penalties, except those payments made through the Federal Bureau of Prisons' Inmate Financial Responsibility Program, are made to the clerk of the court.

The defendant shall receive credit for all payments previously made toward any criminal monetary penalties imposed.

- Joint and Several

Defendant and Co-Defendant Names and Case Numbers (including defendant number), Total Amount, Joint and Several Amount, and corresponding payee, if appropriate.

- The defendant shall pay the cost of prosecution.
- The defendant shall pay the following court cost(s):
- The defendant shall forfeit the defendant's interest in the following property to the United States:

Payments shall be applied in the following order: (1) assessment, (2) restitution principal, (3) restitution interest, (4) fine principal, (5) fine interest, (6) community restitution, (7) penalties, and (8) costs, including cost of prosecution and court costs.

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