

NEVADA STATE BOARD OF MEDICAL EXAMINERS



IN THE MATTER OF CHARGES AND COMPLAINT AGAINST

KEVIN C. PETERSEN, M.D.

ADJUDICATION

Case No: 23-19611-1

Date: June 7, 2024

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1

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

3 * * * * *

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

Case No. 23-19611-1

6 **Against:**

7 **KEVIN C. PETERSEN, M.D.,**

8 **Respondent.**

FILED

JUN 16 2023

**NEVADA STATE BOARD OF
MEDICAL EXAMINERS**

By: _____

9
10 **COMPLAINT**

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

17 **A. Respondent's Licensure Status**

18 1. Respondent was at all times relative to this Complaint a medical doctor holding an
19 active license to practice medicine in the State of Nevada (License No. 9665). Respondent was
20 originally licensed by the Board on December 15, 2000.

21 **B. Applicable Law**

22 2. Pursuant to NRS 630.3065(2)(a), a licensee shall not knowingly or willfully fail to
23 comply with a subpoena or order of the Investigative Committee (IC) or the Board.

24 3. Pursuant to NRS 630.311(1), the IC must review each complaint made against a
25 licensee and conduct an investigation to determine if there is a reasonable basis for the complaint.

26 ///

27
28 ¹ The Investigative Committee of the Nevada State Board of Medical Examiners, at the time this formal
Complaint was authorized for filing, was composed of Board members Victor M. Muro, M.D., Chowdhury H. Ahsan,
M.D., and Pamela J. Beal.

1 The IC may issue orders to aid its investigation, including, but not limited to, compelling a
2 licensee to appear before the IC.

3 4. Pursuant to NRS 630.318(1), if the IC has reason to believe that the conduct of any
4 physician has raised a reasonable question as to his or her competence to practice medicine with
5 reasonable skill and safety to patients, the IC may order that the physician undergo a mental or
6 physical examination, an examination testing his or her competence to practice medicine or any
7 other examination designated by the Board to assist the IC in determining the fitness of the
8 physician to practice medicine.

9 **C. Respondent's Failure to Comply With an Order for Health Care Records in NSBME**
10 **Investigative File No. [REDACTED]**

11 5. On July 27, 2022, pursuant to an investigation of Respondent's alleged conduct
12 related to IF 22-21819, the IC issued an Order to Produce Health Care Records (IC Order) for all
13 of the records for the patient at issue. Respondent was ordered to respond to the IC Order within
14 thirty (30) days of service. The IC Order was sent, along with an Allegation Letter, to Respondent
15 ~~via USPS first-class mail on July 27, 2022, to his permanent mailing address on file with the~~
16 Board located at 653 North Town Center Drive, Suite 314, Las Vegas, NV 89144.

17 6. Respondent failed to respond to the IC Order within thirty (30) days as ordered by
18 the IC. Accordingly, on November 17, 2022, a second IC Order was sent, along with the original
19 Allegation Letter and the Order, to Respondent via USPS first-class mail to his permanent mailing
20 address on file with the Board located at 653 North Town Center Drive, Suite 314, Las Vegas, NV
21 89144.

22 7. During the investigation of IF [REDACTED], a Board investigator emailed Respondent,
23 using Respondent's email address on file with the Board. On December 7, 2022, Respondent
24 responded to the Board investigator using the same email address. In this email, Respondent
25 stated that he did not have an office or office staff, and that he was evicted from his office due to
26 an inability to pay rent for the office space. Respondent further stated that he would later give a
27 more thorough response to the Board's inquiries. Respondent has not provided further response to
28 the Board.

1 8. Respondent has further failed to respond to the IC's Orders to Respondent to
2 produce health care records pursuant to an investigation of Respondent's alleged conduct related
3 conduct related to IF [REDACTED]

4 **D. Respondent's Failure to Comply With an Order for Health Care Records in NSBME**
5 **Investigative File No. [REDACTED]**

6 9. On November 16, 2022, pursuant to an investigation of Respondent's alleged
7 conduct related to IF [REDACTED], the IC issued an Order to Produce Health Care Records (IC
8 Order), directing the production of Respondent's patient and surgical schedule from
9 August 25, 2022 through September 6, 2022. Respondent was ordered to respond to the IC Order
10 within thirty (30) days of service. The IC Order was sent, along with an Allegation Letter, to
11 Respondent via USPS first-class mail on November 16, 2022, to his permanent mailing address on
12 file with the Board located at 653 North Town Center Drive, Suite 314, Las Vegas, NV 89144.

13 10. Respondent failed to respond to the IC Order within thirty (30) days as ordered by
14 the IC. Accordingly, on December 16, 2022, a second IC Order was sent, along with the original
15 Allegation Letter and the Order, to Respondent via USPS first-class mail to his permanent mailing
16 address on file with the Board located at 653 North Town Center Drive, Suite 314, Las Vegas, NV
17 89144.

18 11. Respondent has further failed to respond to the IC's Orders to Respondent to
19 produce health care records pursuant to an investigation of Respondent's alleged conduct related
20 IF 22-21949.

21 **E. Respondent's Failure to Timely Notify the Board of a Change of Permanent Address**

22 12. During all times relevant to this Complaint, Respondent maintained with the Board
23 his permanent mailing address as 653 North Town Center Drive, Suite 314, Las Vegas, NV
24 89144.

25 13. Between January 2023 and March 2023, Board staff sent multiple letters to
26 Respondent via USPS first-class mail to his permanent mailing address on file with the Board
27 located at 653 North Town Center Drive, Suite 314, Las Vegas, NV 89144. Board staff also sent
28 letters to another address in Murietta, California, which Board investigators had reason to believe

1 Respondent resided at. These letters were returned to sender and marked “not deliverable as
2 addressed, unable to forward.”

3 14. On December 7, 2022, Respondent sent an email to a Board investigator, stating
4 that he did not have an office or office staff, and that he was evicted from his office due to
5 inability to pay rent for the office space.

6 15. Respondent has failed to notify the Board of a change of his permanent mailing
7 address.

8 **F. Respondent’s Failure to Comply With an Order for Appearance at the IC Meeting**

9 16. On February 22, 2023, pursuant to NRS 630.311(1), the IC issued an Order for
10 Appearance (Appearance Order) to Respondent via USPS certified mail to his permanent mailing
11 address on file with the Board located at 653 N Town Center Drive, Suite 314, Las Vegas, NV
12 89144, whereby Respondent was required to appear before the IC on May 10, 2023, to discuss his
13 open investigations before the IC members.

14 17. An investigator for the Board also emailed Respondent a copy of the Appearance
15 Order to Respondent’s email on record on February 22, 2023.

16 18. On March 10, 2023, Board staff also mailed the Appearance Order to a second
17 address in Murrieta, California, where Board investigators believed Respondent may have resided.

18 19. On May 10, 2023, Respondent failed to appear before the IC pursuant to the
19 Appearance Order.

20 **G. Respondent’s Failure to Comply With an Order for an Examination to Determine**
21 **Fitness to Practice Medicine**

22 20. On February 21, 2023, pursuant to NRS 630.318(1), the IC issued an Order for
23 Examination, requiring Respond to appear before an examiner located at Professional Recovery
24 Network on March 7, 2023, for evaluation. The Order for Examination was issued to Respondent
25 by USPS certified mail to his permanent mailing address on file with the Board located at 653 N
26 Town Center Drive, Suite 314, Las Vegas, NV 89144. The IC issued the Order for Examination
27 due to multiple investigations conducted by the Board involving Respondent’s alleged substance
28 abuse.

1 address on record with the Board (with a courtesy copy to Respondent's email address on file with
2 the Board).

3 30. By reason of the foregoing, Respondent is subject to discipline by the Board as
4 provided in NRS 630.352.

5 **COUNT II**

6 **NRS 630.3065(2)(a) - Knowing and Willful Failure to Comply With Investigative**
7 **Committee Order**

8 31. All of the allegations in the above paragraphs are hereby incorporated as if fully set
9 forth herein.

10 32. NRS 630.3065(2)(a) provides that knowingly or willfully failing to comply with a
11 regulation, subpoena or order of the Board or a committee designated by the Board to investigate a
12 complaint against a physician is grounds for disciplinary action.

13 33. Respondent knowingly and willingly failed to comply with the IC's Order to
14 Produce Health Care Records pursuant to an investigation of Respondent's alleged conduct related
15 to IF 22-21949, after being served with two (2) orders by mail to Respondent's permanent mailing
16 address on record with the Board (with a courtesy copy to Respondent's email address on file with
17 the Board).

18 34. By reason of the foregoing, Respondent is subject to discipline by the Board as
19 provided in NRS 630.352.

20 **COUNT III**

21 **NRS 630.306(1)(j) - Failing to Timely Notify the Board of a Change of Permanent Address**

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

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

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

1 38. NRS 630.254 provides, in pertinent part:

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

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

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

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

16 40. By reason of the foregoing, Respondent is subject to discipline by the Board as
17 provided in NAC 630.555 and NRS 630.352.

18 **COUNT IV**

19 **NRS 630.3065(2)(a) - Knowing and Willful Failure to Comply With Investigative**
20 **Committee Order**

21 41. All of the allegations in the above paragraphs are hereby incorporated as if fully set
22 forth herein.

23 42. NRS 630.3065(2)(a) provides that knowingly or willfully failing to comply with a
24 regulation, subpoena or order of the Board or a committee designated by the Board to investigate a
25 complaint against a physician is grounds for disciplinary action.

26 43. Respondent knowingly and willingly failed to comply with the IC's Order for
27 Appearance at the IC meeting held on May 10, 2023 as ordered, after being served with said order
28 to Respondent's permanent mailing address of record with the Board (with a courtesy copy to
Respondent's email address on file with the Board).

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

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COUNT V

**NRS 630.3065(2)(a) - Knowing and Willful Failure to Comply With Investigative
Committee Order**

45. All of the allegations in the above paragraphs are hereby incorporated as if fully set forth herein.

46. NRS 630.3065(2)(a) provides that knowingly or willfully failing to comply with a regulation, subpoena or order of the Board or a committee designated by the Board to investigate a complaint against a physician is grounds for disciplinary action.

47. Respondent knowingly and willingly failed to comply with the IC's Order for Examination, dated February 21, 2023, after being served said Order for Examination via USPS certified mail to Respondent's permanent address of record with the Board, by failing to appear at the March 7, 2023, examination as ordered.

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

COUNT VI

**NRS 630.3065(2)(a) - Knowing and Willful Failure to Comply With Investigative
Committee Order**

49. All of the allegations in the above paragraphs are hereby incorporated as if fully set forth herein.

50. NRS 630.3065(2)(a) provides that knowingly or willfully failing to comply with a regulation, subpoena or order of the Board or a committee designated by the Board to investigate a complaint against a physician is grounds for disciplinary action.

51. Respondent knowingly and willingly failed to comply with the IC's Order for Examination, dated March 8, 2023, after being served said Order for Examination via USPS certified mail to Respondent's permanent mailing address of record, by failing to appear at the April 4, 2023, examination as ordered.

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

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

2 1. That the Board give Respondent notice of the charges herein against him and give
3 him notice that he may file an answer to the Complaint herein as set forth in
4 NRS 630.339(2) within twenty (20) days of service of the Complaint;

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

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


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

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

13 6. That the Board take such other and further action as may be just and proper in these
14 premises.

15 DATED this 16th day of June, 2023.

16 INVESTIGATIVE COMMITTEE OF THE
17 NEVADA STATE BOARD OF MEDICAL EXAMINERS

18 By: 
19 WILLIAM P. SHOGREN
20 Deputy General Counsel
21 9600 Gateway Drive
22 Reno, NV 89521
23 Tel: (775) 688-2559
24 Email: wshogren@medboard.nv.gov
25 Attorney for the Investigative Committee

1 **CERTIFICATE OF SERVICE**

2 I hereby certify that I am employed by the Nevada State Board of Medical Examiners and
3 that on the 16th day of June, 2023, I served a file-stamped copy of the foregoing **COMPLAINT**
4 and required fingerprinting materials, via USPS Certified Mail, postage pre-paid, to the following
5 parties:

6 KEVIN C. PETERSEN, M.D.
7 653 North Town Center, Suite 314
8 Las Vegas, NV 89144

9 9171 9690 0935 0255 6992 85

10 *Tracking No.:* _____

11 KEVIN C. PETERSEN, M.D.
12 40170 Via Tonada
13 Murrieta, CA 92562

14 9171 9690 0935 0255 6992 92

15 *Tracking No.:* _____

16 DATED this 16th day of June, 2023.

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18 _____
19 **MERCEDES FUENTES**
20 Legal Assistant
21 Nevada State Board of Medical Examiners
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**BEFORE THE BOARD OF MEDICAL EXAMINERS
OF THE STATE OF NEVADA**

FILED

MAR 15 2024

**NEVADA STATE BOARD OF
MEDICAL EXAMINERS**

By: _____

In the Matter of Charges and
Complaint Against
KEVIN C. PETERSEN, M.D.,
Respondent.

CASE NO.: 23-19611-1

SYNOPSIS OF CASE AND RECOMMENDATIONS TO THE BOARD

The record in this case reveals that a formal Complaint charging Respondent Kevin C. Petersen, M.D. with six counts of misconduct was filed in this matter and duly served upon Respondent. Despite proper legal service of the Complaint and other appropriate documentation upon Dr. Petersen, he did not file any response to the Complaint or otherwise respond. Following service of that Complaint, an Early Case Conference was noticed and held, followed by a duly noticed Pre-Hearing conference, both pursuant to applicable administrative law. Despite the diligence of the Investigative Committee ("IC") of the Board of Medical Examiners ("Board") in serving documents and notices upon, and attempting to communicate with Respondent, he failed to participate in administrative proceedings prior to the formal hearing, and then he failed to appear at the formal hearing itself.

At the hearing, the Board and IC were represented by their Deputy General Counsel William P. Shogren. Mr. Shogren called two witnesses to present the evidence for the IC's case, namely Alexis Kent, and Johnna LaRue. The uncontested evidence presented is summarized hereinbelow.

1. The Factual Evidence

A. The Testimony of Alexis Kent

Ms. Kent is an investigator for the Board. She testified that in this case, the standard Board procedure was followed whereby Respondent was duly served with an allegation letter dated July 27, 2022, along with a Board Order to produce healthcare records of the same date.

1 Those documents were mailed to Respondent's address on file with the Board. There was no
2 response from Respondent. A second round of documents was dispatched including a second
3 Order to produce healthcare records, but those also brought no response. It is noted that the
4 Board sent the documentation not only to Respondent's physical address, but also served him
5 via his email contact.

6 Ms. Kent testified generally as to the basis for other Complaints against Dr. Petersen
7 and the fact that he was non-responsive in those as well. She also testified that her
8 investigation revealed a new address for Respondent which was not on file with the Board.
9 On December 7, 2022, Ms. Kent did receive an email from Respondent which, although it did
10 not respond substantively to the Board's communications, it did confirm that he was using the
11 new address discovered by Ms. Kent's investigations.

12 Ms. Kent also testified that Respondent was given legally proper notice of an Order
13 issued by the IC requiring Dr. Petersen to appear before Dr. Mark Chase for a mental and
14 physical examination to determine whether Respondent was fit to practice medicine. Dr.
15 Petersen did not attend that examination. Respondent was also properly served with an Order
16 to appear before the IC to "discuss the matters" pending before the Board, as well as a
17 subsequent Order requiring him again to appear before Dr. Chase for an evaluation. But as
18 before Dr. Petersen failed to appear as ordered in each instance.

19 Finally, Ms. Kent testified that after multiple attempts to mail all notices and orders to
20 Respondent at three different addresses, (the one provided by Respondent to the Board, and
21 two others she discovered in her investigation), along with sending all such documents to
22 Respondent via email at the address he used in his one response to the Board, Ms. Kent went
23 the extra mile and attempted to serve all such documentation on Dr. Petersen personally at the
24 address on file with the Board, as well as the address she had discovered and he acknowledged
25 in his one email communication. Unfortunately, all Ms. Kent's "above and beyond" efforts
26 yielded nothing of substance from Dr. Petersen. He has simply failed to participate in this
27 Board process in any manner.

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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:

WILLIAM P. SHROGEN, J.D.
Deputy General Counsel and Attorney for the Investigative Committee of the Nevada State Board of Medical Examiners
9600 Gateway Drive
Reno, Nevada 89521

KEVIN C. PETERSEN, M.D.
653 North Town Center, Suite 314
Las Vegas, NV 89144

9171 9690 0935 0241 6247 27

DATED this 21st day of March, 2024.



Legal Assistant
Nevada State Board of Medical Examiners

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FILED
JAN 19 2024
NEVADA STATE BOARD OF
MEDICAL EXAMINERS
By: _____

BEFORE THE BOARD OF MEDICAL EXAMINERS
OF THE STATE OF NEVADA
CHARLES B. WOODMAN, HEARING OFFICER

-o0o-

In the Matter of Charges and Case No. 23-19611-1
Complaint Against:

KEVIN C. PETERSEN, M.D.,

Respondent.

_____ /

TRANSCRIPT OF PROCEEDINGS
JANUARY 5, 2024
RENO, NEVADA

REPORTED BY: CORRIE L. WOLDEN, NV CSR #194, RPR, CP
Job No. LVR6275233

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A P P E A R A N C E S

THE HEARING OFFICER: CHARLES B. WOODMAN, ESQ.
548 W. Plumb Lane, Suite B
Reno, Nevada 89509
775-786-9800

[REDACTED]

FOR THE INVESTIGATIVE WILLIAM P. SHOGREN, ESQ.
COMMITTEE OF THE NEVADA Deputy General Counsel
STATE BOARD OF MEDICAL 9600 Gateway Drive
EXAMINERS: Reno, NV 89521
775-688-2559

[REDACTED]

ALSO PRESENT: MERCEDES FUENTES

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I N D E X

WITNESSES	PAGE
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JOHNNA LaRUE MR. SHOGREN	36

E X H I B I T S

NUMBER	DESCRIPTION	MARKED	ADMITTED
Exhibit 1	Complaint and Certificate of Service, 6-16-23	5	41
Exhibit 2	Allegation Letter to Respondent, 7-11-22	5	41
Exhibit 3	Order to Produce Healthcare Records, 7-11-22	5	41
Exhibit 4	Second Request Letter to Respondent, 8-22-22	5	41
Exhibit 5	Order to Produce Healthcare Records, 8-22-22	5	41
Exhibit 6	Allegation Letter to Respondent, 7-27-22	5	41
Exhibit 7	Order to Produce Healthcare Records, 7-27-22	5	41
Exhibit 8	Second Request Letter to Respondent, 11-17-22	5	41
Exhibit 9	Allegation Letter to Respondent, 11-16-22	5	41
Exhibit 10	Order to Produce Healthcare Records, 11-16-22	5	41
Exhibit 11	Second Request Letter to Respondent, 12-16-22	5	41
Exhibit 12	Emails from Respondent to Investigators, 9-25-22 and 12-7-22	5	41

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E X H I B I T S
(Continued)

NUMBER	DESCRIPTION	MARKED	ADMITTED
Exhibit 13	Order for Examination, 2-21-23	5	41
Exhibit 14	Order for Examination, 3-8-23	5	41
Exhibit 15	Order for Appearance, 2-22-23	5	41
Exhibit 16	Email from Investigator to Respondent, 2-22-23	5	41
Exhibit 17	Certified Mail Receipt and Returned Envelopes to Respondent from Investigations	5	41
Exhibit 18	Email from Mark Chase to Investigator, 4-11-23	5	41
Exhibit 19	Affidavit of Publication of Complaint, 8-22-23	5	41
Exhibit 20	IC's Service Attempts for Notice and Order Scheduling Early Case Conference	5	41
Exhibit 21	IC's Service Attempts for Notice and Order Scheduling Pre-Hearing and Hearing	5	41

1 RENO, NEVADA, FRIDAY, JANUARY 5, 2024, 9:00 A.M.

2 -o0o-

3 (Exhibit Numbers 1 - 21 were marked for identification)

4
5 THE HEARING OFFICER: All right. So we are on the
6 record before the Board of Medical Examiners of the State of
7 Nevada in the Matter of Charges and Complaint Against
8 Kevin C. Petersen, M.D., Respondent. It is Case Number
9 23-19611-1.

10 Here on behalf of the Board is Mr. Shogren, and
11 the Respondent Dr. Petersen has not appeared today, which
12 does not come as much of a surprise as he has not really
13 participated in this case throughout its inception, I
14 believe, and we will find this out on the record here in a
15 minute, but I believe he was served via publication, right?

16 MR. SHOGREN: Correct.

17 THE HEARING OFFICER: Okay. And before we went on
18 the record, Mr. Shogren requested that all of the Board's
19 exhibits be admitted, and since there is nobody here to
20 object I'm going to provisionally admit them all. If for
21 whatever reason I have any concerns about anything as we go
22 through them I will bring it up, but I don't anticipate
23 that, but just want to make that clear before we get
24 started. And with that, any other housekeeping items?

Page 5

1 MR. SHOGREN: No, I think that's it.

2 THE HEARING OFFICER: All right. Then you can go
3 ahead with your opening statement, Mr. Shogren.

4 MR. SHOGREN: Actually, before I begin my opening,
5 I believe I still have to make an offer of proof that legal
6 notice has been given to Dr. Petersen.

7 THE HEARING OFFICER: Yeah, and I have seen the
8 documentation, but go ahead.

9 MR. SHOGREN: Okay. Yeah, I just wanted to put on
10 the record that pursuant to NRS 622A.350(1) if a party fails
11 to appear at a scheduled hearing and a continuance has not
12 been scheduled or granted, any party who is present at the
13 hearing may make an offer of proof that the absent party was
14 given sufficient legal notice, and so I make that offer of
15 proof.

16 Dr. Petersen is not here. He has failed to appear
17 to this hearing. He has not called or contacted anyone at
18 the Board, to my knowledge, since the filing of the formal
19 Complaint, and no continuance has been granted for today's
20 hearing, nor was one requested.

21 So I want to first put on the record that a formal
22 Complaint in this matter was filed and served first via
23 certified mail to Dr. Petersen. I believe, Your Honor,
24 that's in the packet you have there in front of you, the

1 first tab there. Actually, if you go to I believe the third
2 page there is a Certificate of Service. Maybe not the third
3 page, but there at the end of the first tab.

4 So it was mailed to Dr. Petersen. Like I said, to
5 my knowledge Dr. Petersen did not respond to the Complaint,
6 did not file an answer. Pursuant to NRS 630.344, if
7 certified mail is returned receipt requested or if it is
8 returned undelivered, sorry, then the Board may or shall
9 cause notice to be published once a week for four
10 consecutive weeks in a newspaper published in the county of
11 the last known address.

12 Dr. Petersen's last known address was in
13 Las Vegas. That's the address he provided to the Board. So
14 the Board did cause notice of the Complaint to be published
15 in the Nevada Legal News, which is printed and published in
16 Las Vegas, Clark County, Nevada. This was published between
17 July 25th, 2023, and August 22nd, 2023, and an Affidavit of
18 Publication from Nevada Legal News is included in the packet
19 there.

20 THE HEARING OFFICER: Got it.

21 MR. SHOGREN: So the Board did comply with
22 NRS 630.344 as far as giving legal notice to Dr. Petersen of
23 the Complaint. Lastly, I would point to what's been marked
24 there in the packet as tab 4, which is the Order that

1 Your Honor entered on October 11th, 2023. So that's an
2 order scheduling pre-hearing and hearing, which lists
3 today's date for the hearing of January 5th, 2024, at 9:00
4 a.m., and I believe the third page of that is the
5 Certificate of Service sent to Dr. Petersen's address in
6 Las Vegas, so I would proffer that that is sufficient legal
7 notice for Dr. Petersen of today's hearing.

8 THE HEARING OFFICER: And I will make that finding
9 that he has been duly served pursuant to statute.

10 MR. SHOGREN: Thank you.

11 THE HEARING OFFICER: All right. Go ahead with
12 your opening.

13 MR. SHOGREN: For the record, I don't think I have
14 said my name yet, but my name is William Shogren, Deputy
15 General Counsel on behalf of the Investigative Committee. I
16 would like to thank Hearing Officer Woodman and Madam Court
17 Reporter today for participating in this important
18 proceeding.

19 This hearing is to present evidence to determine
20 if Dr. Petersen violated the six counts in the Complaint
21 that was filed on June 16th, 2023. The Complaint contains
22 five counts of NRS 630.3065(2)(a), which is a knowing and
23 willful failure to comply with a Board Order or
24 Investigative Committee Order, and one count of

1 NRS 630.306(1)(j), which is failing to timely notify the
2 Board of a change of permanent address.

3 Dr. Petersen is licensed with the Board and has
4 been since December 15th, 2000. And today throughout the
5 hearing the evidence will show that the Board Investigator,
6 who is assigned to Dr. Petersen's multiple cases currently
7 under investigation, sent several Orders from the
8 Investigative Committee of the Board to produce medical
9 records involving the cases under active investigation.
10 These were sent to Dr. Petersen, and Dr. Petersen did not
11 comply with these Orders and has not produced any medical
12 records.

13 The evidence will also show that the Investigative
14 Committee, otherwise known as the IC, ordered Dr. Petersen
15 to appear at a meeting which occurred on May 10, 2023, with
16 the very members of the IC who issued the Orders to produce
17 medical records. The purpose of this meeting was to give
18 Dr. Petersen an opportunity to explain his current situation
19 and the underlying facts of the investigations or the
20 underlying allegations. The evidence will show that
21 Dr. Petersen failed to appear at this meeting as ordered.

22 Furthermore, Dr. Petersen was twice ordered by the
23 IC to undergo an in person mental and physical examination
24 with Dr. Mark Chase. The evidence will show that

1 Dr. Petersen failed to appear both times as ordered. The
2 evidence will show that he did not contact Dr. Chase prior
3 to his scheduled examination and did not appear for the
4 examination.

5 The evidence will show that the Board Investigator
6 had made several attempts to contact Dr. Petersen through
7 certified mail, e-mail, and attempted personal service but
8 was unsuccessful. And to emphasize the most important thing
9 here is that the IC Order for Dr. Petersen to get an
10 examination to determine fitness to practice, which he
11 knowingly and willfully failed to comply with that Order,
12 and he knowingly failed to comply with all of the other
13 numerous orders that the IC issued.

14 The testimony and evidence that will be presented
15 today will establish by a preponderance of the evidence that
16 Dr. Petersen knowingly and willfully failed to comply with
17 all of the IC's Orders and that those are violations of the
18 Medical Practice Act.

19 Additionally, the testimony and evidence will also
20 show that by a preponderance of the evidence Dr. Petersen
21 failed to timely notify the Board of a change of permanent
22 address as required by statute. On behalf of the
23 Investigative Committee, we ask the Board to consider the
24 record that will be presented here and render the

1 appropriate findings and discipline. Thank you.

2 THE HEARING OFFICER: Very good. All right. And
3 I should just clarify what I said earlier when we
4 provisionally admitted the Board, the IC's exhibits. That
5 is Exhibits 1 through 21 is what I have got in front of me.
6 If there are any others to add, we will deal with those as
7 they come up.

8 All right. Mr. Shogren, go ahead and call your
9 first witness. It looks like we have somebody participating
10 via videoconference from the Vegas office.

11 MR. SHOGREN: Thank you. I would like to call
12 Alexis Kent as my first witness.

13 THE HEARING OFFICER: Ms. Kent, can you hear us?

14 MS. KENT: Hi, good morning.

15 THE HEARING OFFICER: Good morning. Ms. Kent, I'm
16 going to have you raise your right hand and I'm going to ask
17 our reporter to swear you in.

18 ALEXIS KENT,
19 called as a witness, having been duly sworn,
20 testified as follows:

21
22 THE HEARING OFFICER: All right. Ms. Kent, as I'm
23 sure you are aware, Mr. Shogren is going to ask you
24 questions. If there is anything you don't hear from him,

1 don't guess or assume what the question is. Just let us
2 know and he can ask you again.

3 THE WITNESS: Okay.

4 THE HEARING OFFICER: Go ahead.

5

6 EXAMINATION

7 BY MR. SHOGREN:

8 Q Good morning, Ms. Kent.

9 A Good morning.

10 Q Can you hear me okay?

11 A Yes, I can hear you.

12 Q Okay. First of all, Ms. Kent, where do you work?

13 A I work at the Nevada State Board of Medical
14 Examiners.

15 Q And in what capacity do you work for the Board of
16 Medical Examiners?

17 A I am an Investigator.

18 Q And how long have you worked at this position?

19 A Since November of 2022.

20 Q And just generally as an Investigator what are
21 your duties?

22 A As an Investigator cases are assigned to me, and
23 once that case is assigned to me it is my responsibility to
24 see it through the investigative process by sending

1 Allegation Letters and Board Orders to gather necessary
2 information to be able to send the case through the review
3 process.

4 Q Thank you. We are here today for a hearing to
5 present evidence so that the Board can determine if
6 Dr. Petersen violated the Medical Practice Act. Do you
7 understand that?

8 A Yes.

9 Q And are you aware that Dr. Petersen has multiple
10 cases under investigation for which we are here today?

11 A Yes.

12 Q And how many cases does Dr. Petersen have under
13 investigation currently?

14 A He currently has four open cases.

15 Q And are you the Investigator assigned to these
16 cases?

17 A Yes.

18 Q And were you originally assigned to all of these
19 cases?

20 A Ryan Swank was formerly the Investigator on three
21 of the cases and I was originally the Investigator on one of
22 the cases. The other three have been reassigned to me.

23 Q When were they reassigned?

24 A In November of 2022.

1 Q And are you familiar with -- actually, scratch
2 that question. Have you reviewed the file for this case
3 that we are here for today?

4 A I have, yes.

5 Q Okay. Now, I'm going to ask you questions
6 directed towards each count that's contained in the
7 Complaint, which involves each separate Order basically that
8 was issued by the IC, so we are going to kind of go
9 one-by-one here.

10 A Okay.

11 Q So, first of all, if I could have you turn to
12 Exhibit 6, that's been marked as Exhibit 6 by the IC.

13 A Okay.

14 Q Ms. Kent, are you familiar with this document?

15 A I am.

16 Q And what is this document?

17 A This is an allegation letter that was sent to
18 Dr. Petersen for BME Case# [REDACTED].

19 Q And what is the date of this letter?

20 A July 27th, 2022.

21 Q And if you could briefly summarize, what are the
22 allegations contained in this letter?

23 A The allegations are that the patient was presented
24 to Dr. Petersen for a pre-op exam. Dr. Petersen was over

1 two hours late for this with a disheveled appearance. When
2 the patient arrived for their scheduled surgery, they were
3 prepped for that surgery and then informed that Dr. Petersen
4 would not be able to make it that day. When the patient
5 contacted Dr. Petersen for their payment, he failed to
6 refund their payment.

7 Q Thank you. And turning to the second page of
8 Exhibit 6, which is Bate stamped 020 here, what does this
9 letter ask or require that Dr. Petersen do?

10 A He is required to provide a formal written
11 response to the allegations as well as produce the
12 healthcare records associated with it that were requested of
13 him.

14 Q Just for the record, who was the Investigator that
15 drafted this letter?

16 A Investigator Ryan Swank.

17 Q And just to be clear, did you assume this or take
18 over this case after Mr. Swank left?

19 A I did, yes.

20 Q And, I'm sorry, I might not have caught this, but
21 how long, according to this letter, how long does
22 Dr. Petersen have to respond to it?

23 A 30 calendar days.

24 Q Thank you. And if you could turn to what has been

1 marked as Exhibit 7. Ms. Kent, are you familiar with this
2 document?

3 A Yes.

4 Q And what is this document?

5 A This is an Order to Produce Healthcare Records,
6 also for Case 22-21819.

7 Q And what is the date of this Order?

8 A July 27, 2022.

9 Q And if you could briefly summarize what this Order
10 is and what it requires that Dr. Petersen do.

11 A This Order requires Dr. Petersen to provide
12 complete copies of the healthcare records for the patient in
13 the case.

14 Q And was this Order included with the allegation
15 letter we just discussed that's contained in Exhibit 6?

16 A It was.

17 Q And to your knowledge how is the document in
18 Exhibit 6 and the document in Exhibit 7, how were they sent
19 to Dr. Petersen?

20 A They are sent via mail and e-mail.

21 Q Okay. And which address was it sent to?

22 A 653 N. Town Center Drive, Suite 314.

23 Q And what type of mail was this sent as?

24 A Sent as priority, I believe.

1 Q And to what e-mail address was it sent?

2 A [REDACTED].

3 Q Okay. And to your knowledge why was it sent to
4 653 N. Town Center Drive?

5 A That is both his public and mailing address on
6 file with the Board.

7 Q Also, just backing up here, as an Investigator is
8 it common for you to send out or any Investigator to send
9 out letters and Orders to Produce Healthcare Records in
10 cases?

11 A Yes, it is with pretty much every case.

12 Q And where does the Order come from, the Order to
13 Produce Healthcare Records?

14 A The Order is issued by the Investigative
15 Committee.

16 Q Okay. Thank you. And if you could turn to
17 Exhibit 8, please. Ms. Kent, are you familiar with this
18 document?

19 A Yes.

20 Q What is it?

21 A This is the second request for a response and
22 records for [REDACTED].

23 Q And what is the date of this letter?

24 A November 17th, 2022.

1 Q If you could briefly summarize, what is this
2 second request, what is it asking or requiring that
3 Dr. Petersen do?

4 A This is requiring him to provide a response to the
5 allegation letter and the Order to produce medical records
6 that was originally sent to him on July 27th, 2022.

7 Q And did you draft this letter?

8 A Yes.

9 Q And did this letter, second request letter contain
10 any other attachments or documents?

11 A Yes. It included the original letter and the
12 original Order.

13 Q And how was this second request letter sent to
14 Dr. Petersen?

15 A This was sent via e-mail and certified mail.

16 Q And where was it sent via certified mail?

17 A To 653 N. Town Center Drive.

18 Q And where was it e-mailed to?

19 A [REDACTED].

20 Q And to your knowledge did Dr. Petersen respond to
21 either of the letters that were sent?

22 A He responded via e-mail, but he did not give a
23 formal response and he did not respond to the Order.

24 Q And to your knowledge what happened to the

1 certified mail that was sent here for the second request
2 letter?

3 A We received it back. It said return to sender,
4 undeliverable.

5 Q Also backing up, as an Investigator would you be
6 aware if the Board or the IC received the requested
7 healthcare records?

8 A Yes.

9 Q And is that one of your duties to ensure that the
10 Board receives those records?

11 A Yes, it is.

12 Q And now if you could turn to what has been marked
13 as Exhibit 12, and turning to the second page of Exhibit 12
14 which is Bate stamped 031. Ms. Kent, are you familiar with
15 this exhibit?

16 A Yes.

17 Q Could you explain what this exhibit is?

18 A This is an e-mail that I received on December 7th,
19 2022, from Dr. Petersen in response to [REDACTED].

20 Q What is the date of this e-mail?

21 A December 7th, 2022.

22 Q And what is the e-mail address that Dr. Petersen
23 uses?

24 A [REDACTED].

1 Q And could you briefly summarize what this e-mail
2 states?

3 A This e-mail is explaining some personal hardship
4 that he had that caused him to be unable to give a formal
5 response and produce the healthcare records. It also states
6 that he was evicted from his office.

7 Q And to your knowledge is the reference to the
8 office, is that the -- what address is that?

9 A 653 N. Town Center Drive.

10 Q And, Ms. Kent, did you receive any other
11 communications from Dr. Petersen regarding this
12 investigation after this e-mail?

13 A Not regarding this case, no.

14 Q Also, just briefly if you could turn to the page
15 Bate stamped 030, which is the first page of Exhibit 12.
16 Ms. Kent, are you familiar with this document?

17 A Yes.

18 Q And what is this document?

19 A This is an e-mail that was sent to Investigator
20 Ryan Swank by Dr. Petersen on September 25th, 2022.

21 Q And what is this e-mail in reference to?

22 A This is in reference to Case [REDACTED].

23 Q And did you take over this investigation case
24 after Mr. Swank left?

1 A Yes.

2 Q Okay. Thank you. So now we are going to move to
3 another investigation case here. So, Ms. Kent, if you could
4 turn to Exhibit 9. Ms. Kent, are you familiar with this
5 exhibit?

6 A Yes.

7 Q And could you briefly summarize what this is?

8 A This is an allegation letter sent to Dr. Petersen
9 for [REDACTED].

10 Q And who drafted this letter?

11 A I did.

12 Q And just briefly what are the allegations
13 contained in this letter?

14 A Dr. Petersen was found in the Summerlin Hospital
15 parking lot in a disoriented state in hospital scrubs with a
16 hospital ID. The medical evaluation showed a high blood
17 alcohol level and he was documented as extremely
18 intoxicated. He indicated to staff nurses that he was at
19 Summerlin Hospital to see patients.

20 Q Are there any other allegations contained in this
21 letter?

22 A Yes. He failed to notify the Board of a change of
23 address within 30 days.

24 Q And what does this letter require that

1 Dr. Petersen do?

2 A Dr. Petersen is required to provide a formal
3 response to the allegations as well as the questions that
4 were included in the letter.

5 Q And how long does Dr. Petersen have to respond to
6 this letter?

7 A 30 calendar days.

8 Q To your knowledge, how was this letter sent to
9 Dr. Petersen?

10 A Via mail and e-mail.

11 Q And what e-mail address was it sent to?

12 A [REDACTED].

13 Q And what type of mail was used?

14 A This was sent priority mail.

15 Q Okay. And to your knowledge when was it mailed
16 out?

17 A November 16th, 2022.

18 Q And what addresses did you send this letter to?

19 A I sent this to 653 N. Town Center Drive as well as
20 [REDACTED].

21 Q And why was it sent to that second address?

22 A That is an address that popped up in CLEAR, which
23 is a database we use to find recent addresses associated
24 with people, as well as it was included in the e-mail. Or

1 actually, no, that was afterwards. So this one, we found it
2 in CLEAR.

3 Q And I know you kind of did already, but could you
4 briefly explain what CLEAR is?

5 A Yes. CLEAR is a database that we use. It's
6 information we receive through the government that gives us
7 addresses and recent locations of different people. Usually
8 we use it for respondents.

9 Q And what type of address is this [REDACTED]
10 [REDACTED]?

11 A It's a residential address.

12 Q And to your knowledge what happened to the mail
13 that was sent to Dr. Petersen in this case?

14 A For this one it was not sent certified, so we
15 didn't receive anything back, but I'm not sure if he
16 received it.

17 Q Okay. Ms. Kent, if you could turn to Exhibit 10.
18 And, Ms. Kent, are you familiar with this document?

19 A Yes.

20 Q Could you briefly explain what it is?

21 A Yes. It is an Order to produce a formal written
22 response to the allegations from the letter dated
23 November 16th. It also requires him to provide his patient
24 and surgical schedule from the dates requested.

1 Q And what is the date of this Order?

2 A November 16th of 2022.

3 Q And who is this Order from?

4 A It is issued by the Investigative Committee.

5 Q How long does this Order give Dr. Petersen to
6 respond?

7 A Within 30 days.

8 Q Okay. And was this Order included with the
9 previous allegation letter we just discussed, which is in
10 Exhibit 10, or Exhibit 9, sorry?

11 A Yes.

12 Q Okay. Was this Order sent the same way as the
13 allegation letter we just discussed?

14 A Yes.

15 Q And to your knowledge did Dr. Petersen respond to
16 either documents found in Exhibit 9 or 10?

17 A He responded via e-mail, but he didn't provide any
18 formal written response or a response to the Order.

19 Q Now, if we can turn to Exhibit 11. Ms. Kent, are
20 you familiar with this exhibit?

21 A Yes.

22 Q Can you briefly describe what it is?

23 A This is the Second and Final Request for his
24 formal response to the allegation letter as well as the

1 documents requested in the Order.

2 Q And who drafted this letter?

3 A I did.

4 Q And how long does it give Dr. Petersen to respond?

5 A 15 calendar days.

6 Q Okay. And how was this letter sent to
7 Dr. Petersen?

8 A This was sent via certified mail and via e-mail.

9 Q Was this sent to the same e-mail address as the
10 previous orders and letters that we previously discussed?

11 A Yes.

12 Q Okay. And which addresses was this sent to?

13 A This was sent to 653 North Town Center as well as
14 the address on [REDACTED].

15 Q And to your knowledge what happened to the
16 certified mail?

17 A We received it back return to sender,
18 undeliverable.

19 Q And to your knowledge did Dr. Petersen comply with
20 this request or respond to it?

21 A He did not.

22 Q Did Dr. Petersen send you any other communications
23 regarding this investigation?

24 A He sent one e-mail on January 19th just repeating

1 the personal hardships he had gone through, but it was not a
2 response to the allegations.

3 Q Did Dr. Petersen communicate to you after this
4 e-mail?

5 A No.

6 Q Okay. Moving on, now we are going to address
7 Count 3 of the complaint, which is failure to update
8 address, which you touched upon a little bit before,
9 Ms. Kent, but to your knowledge what is Dr. Petersen's
10 address listed with the Board of Medical Examiners?

11 A 653 N. Town Center Drive, Suite 314.

12 Q And to your knowledge is Dr. Petersen required to
13 keep an updated address with the Board?

14 A Yes, he is.

15 Q And what type of location is this address?

16 A It is a medical office address.

17 Q And if we can go back to Exhibit 12 on page 031.
18 We reviewed this or talked about this previously, but,
19 Ms. Kent, on the second paragraph of this e-mail what does
20 it state?

21 A It explains that he experienced financial hardship
22 and was unable to pay his office rent causing him to be
23 evicted from his office.

24 Q Okay. And to your knowledge has Dr. Petersen

1 changed his address from 653 N. Town Center Drive since
2 December 7th, 2022?

3 A No, he has not.

4 Q Okay. Now, if we could turn to Exhibit 15,
5 please. Okay. Ms. Kent, are you familiar with this
6 document?

7 A Yes.

8 Q Okay. And what is this document?

9 A This is an Order to appear in front of the
10 Investigative Committee on May 10th, 2023.

11 Q And who issued this order?

12 A The Investigative Committee.

13 Q And what is the date of the Order?

14 A February 22nd, 2023.

15 Q And how many investigative cases does this Order
16 address?

17 A Three.

18 Q And what does this Order require -- I guess you
19 already explained that, so scratch that question.

20 Did you send this document to Dr. Petersen?

21 A Yes.

22 Q And how did you send it to him?

23 A I sent it to him via e-mail and via certified mail
24 to three separate addresses.

1 Q And the e-mail address that you sent it to, was
2 that the same e-mail address that you previously sent the
3 other Orders we just discussed?

4 A Yes.

5 Q And which three addresses did you send it to?

6 A I sent it to 653 N. Town Center Drive, I sent it
7 to his Sapphire Vista address that we previously spoke
8 about, as well as [REDACTED].

9 Q And why did you send it to that address in
10 California?

11 A That address had recently popped up in the CLEAR
12 database, and he had indicated in another investigation that
13 he was moving to California, so we thought we might find him
14 there.

15 Q Just based on your investigations do you know what
16 this address is?

17 A I believe it's a residential address.

18 Q Okay. And when did you send out the certified
19 mail to Dr. Petersen for this Order?

20 A This was sent February 22nd, 2023.

21 Q And what happened to the letters that you sent or
22 the mail that was sent?

23 A We got them back return to sender, undeliverable.

24 Q Is that for all three addresses?

1 A Yes.

2 Q And you said you e-mailed a copy of this Order,
3 correct, to Dr. Petersen?

4 A Yes.

5 Q When did you e-mail it to him?

6 A February 22nd, 2023.

7 Q And did Dr. Petersen communicate to you about this
8 Order at all?

9 A No.

10 Q Okay. And to your knowledge did Dr. Petersen
11 appear at the IC meeting on May 10th, 2023, as ordered?

12 A No.

13 Q And actually backing up one last question about
14 this, I don't think we addressed this, but based off just
15 the Order itself why was Dr. Petersen required to appear
16 based off of the second paragraph of the first page?

17 A He was required to appear to discuss the facts
18 involved in the cases as well as answer questions regarding
19 his practice in general, his specialty, and the community
20 standard of care.

21 Q Thank you. Now, if we can turn to Exhibit 13.
22 Ms. Kent, are you familiar with this exhibit?

23 A Yes.

24 Q And what is this exhibit?

1 A This is an Order for Examination to appear before
2 Dr. Mark Chase.

3 Q And who issued this order?

4 A The Investigative Committee.

5 Q And when was it issued?

6 A February 21st, 2023.

7 Q Actually, Ms. Kent, if you could go to the first
8 page and just read the last paragraph, the third paragraph
9 on the first page.

10 A "It is hereby further ordered, that Licensee
11 appear before Dr. Mark Chase, located at Professional
12 Recovery Network, 7473 West Lake Mead Boulevard, on March 7,
13 2023, at 9:00 a.m. Pacific Standard Time for evaluation."

14 Q And going to actually the second paragraph, what's
15 the purpose of the examination?

16 A "That Licensee shall undergo a mental and physical
17 examination testing his competence to practice medicine and
18 determining his fitness to practice medicine, specifically
19 addressing, but not limited to, an examination addressing
20 the presence of a substance use disorder and/or the
21 inability to practice medicine with reasonable skill and
22 safety."

23 Q And could you finish the last sentence there?

24 A Yeah, "due to the use of alcohol, drugs, narcotics

1 or any other substance."

2 Q And did you send this document to Dr. Petersen?

3 A Yes.

4 Q And how did you send it?

5 A I sent it via e-mail and certified mail to the
6 same three addresses.

7 Q And to your knowledge what happened to the
8 certified mail that was sent to those addresses?

9 A Return to sender, undeliverable.

10 Q And when did you e-mail a copy of this Order to
11 Dr. Petersen?

12 A February 22nd, 2023.

13 Q And if you turn to -- this is Bate stamp 034.
14 What is this document?

15 A This document is confirmation that the e-mail was
16 delivered to Dr. Petersen's e-mail address, but that they
17 were unable to confirm if he had opened it or not.

18 Q Okay. And to your knowledge did Dr. Petersen
19 appear at the address listed on the first page of the Order
20 on March 7th, 2023?

21 A No, he did not.

22 Q And then if we could just turn to Exhibit 14.
23 Ms. Kent, are you familiar with this exhibit?

24 A Yes.

1 Q And could you briefly describe what it is?

2 A This is an Order for a substance use evaluation to
3 address the presence of a substance use disorder and/or the
4 inability to practice medicine with reasonable skill and
5 safety due to the use of alcohol, drugs, narcotics or any
6 other substance.

7 Q And what is this Order -- or actually who issued
8 this Order?

9 A The Investigative Committee.

10 Q And when was this issued?

11 A March 8th, 2023.

12 Q And what does this Order require that Dr. Petersen
13 do?

14 A This requires Dr. Petersen to appear before
15 Dr. Mark Chase at Professional Recovery Network on
16 April 4th, 2023, at 9:00 a.m.

17 Q And did you send this document to Dr. Petersen?

18 A Yes.

19 Q And how did you send it?

20 A Via certified mail to all three addresses as well
21 as e-mail.

22 Q And what happened to the certified mail that you
23 sent?

24 A Return to sender, undeliverable.

1 Q Actually, if you could turn to what has been
2 marked Bate stamp 037, the third page of Exhibit 14, are you
3 familiar with this document?

4 A Yes.

5 Q What is this document?

6 A This is confirming that the e-mail was delivered
7 to Dr. Petersen, but they cannot confirm that it was opened.

8 Q What other attempts of service did you try for
9 Dr. Petersen?

10 A On March 9th, 2023, I attempted to serve these
11 documents to him in person to both his office address at
12 653 N. Town Center Drive as well as the address on [REDACTED]
13 [REDACTED] his residential address.

14 Q What documents did you try to serve him?

15 A I tried to serve him all outstanding allegation
16 letters and Orders as well as the Order to Appear and Order
17 for Examination.

18 Q Are these the same Orders that we just discussed
19 today?

20 A Correct, yes.

21 Q And first what happened when you went to the
22 address at 653 N. Town Center Drive?

23 A The door was locked and appeared to be vacant.
24 There were past due payment notices from utility companies

1 that were there for awhile.

2 Q And what happened when you went to the other
3 address you mentioned?

4 A That was a residential address and also appeared
5 to be vacant, but no one answered.

6 Q So what happened, did you like approach the house
7 or what happened there?

8 A I did. I approached the front door. There were
9 fliers and business cards in the door, which did appear to
10 be vacant. I knocked on the door and rang the doorbell two
11 or three times and no one came to the door.

12 Q And, lastly, to your knowledge did Dr. Petersen
13 appear at the Professional Recovery Network as required on
14 April 4th?

15 A No, he did not.

16 Q Okay. No further questions. Thank you.

17 A Thank you.

18 THE HEARING OFFICER: I have a quick question for
19 you, Ms. Kent. And I'm sure you testified to this, but
20 sometimes I get behind in my note taking. When you tried to
21 serve all of those documents, which addresses did you go to
22 when you tried to serve him personally?

23 THE WITNESS: 653 N. Town Center Drive, Suite 314,
24 as well as [REDACTED].

1 THE HEARING OFFICER: Okay. That's what I
2 thought, but I wanted to be sure. Thanks very much.

3 Do you want to clarify anything based on my
4 questions?

5 MR. SHOGREN: No.

6 THE HEARING OFFICER: All right. Thanks very
7 much, Ms. Kent. That should take care of you for the day.
8 Do you need her subject to recall?

9 MR. SHOGREN: I don't think so.

10 THE HEARING OFFICER: All right. Then you are
11 free to go, Ms. Kent, back to work.

12 THE WITNESS: All right. Thank you.

13 MR. SHOGREN: Thank you.

14 THE HEARING OFFICER: Thanks.

15 MR. SHOGREN: Do you mind if we take a quick
16 bathroom break?

17 THE HEARING OFFICER: No. I think that would be
18 good for our court reporter to let her hands and wrists cool
19 down for a minute.

20
21 (Whereupon a break was taken from 9:52 a.m. to 9:58 a.m.)

22
23 THE HEARING OFFICER: Okay. We are back on the
24 record in the case of the Matter of Charges and Complaint

1 Q And could you just briefly describe what your job
2 duties are?

3 A I'm the Deputy Chief of Investigations and I'm
4 also the Compliance Officer, so I'm involved in maintaining
5 all of the diversion program contracts, all of the Orders
6 for substance abuse come through me, and I monitor all of
7 the after Board settlement agreements as well.

8 Q And you are here today for a hearing to present
9 evidence so that the Board can determine if Dr. Petersen
10 violated the Medical Practice Act. Do you understand that?

11 A Yes.

12 Q And are you familiar with this case?

13 A I am.

14 Q And just briefly could you turn to what has been
15 marked as Exhibit 14 by the IC? Sorry, Exhibit 13.

16 A Okay.

17 Q Ms. LaRue, are you familiar with this exhibit?

18 A Yes.

19 Q And what is this exhibit?

20 A This is an Order for Examination.

21 Q Just briefly can you describe what this Order
22 requires that Dr. Petersen do?

23 A This Order required Dr. Petersen to undergo a
24 substance abuse evaluation and examination with Dr. Mark

1 Chase, who is the Director of the PRN program, which is one
2 of our diversion programs. PRN is the Professional Recovery
3 Network.

4 Q Okay. And now if you can turn to Exhibit 14.

5 A Okay.

6 Q Are you familiar with this exhibit?

7 A Yes.

8 Q And just briefly what is this exhibit?

9 A This is a second Order for Examination for
10 Dr. Petersen to undergo the same evaluation with Dr. Mark
11 Chase of the PRN program.

12 Q And when is Dr. Petersen required to undergo the
13 examination?

14 A This is, since this is the second Order, it was
15 April 4. He had to contact Dr. Mark Chase on April 4th or
16 before April 4th, 2023, for the examination.

17 Q And did you correspond with Dr. Mark Chase
18 regarding this case?

19 A I did. I spoke with, after the Order of
20 Examination in Exhibit 13, I spoke to Dr. Chase after the
21 March 7th deadline, and he explained that Dr. Petersen had
22 not contacted him in any manner. So we reissued the Order,
23 which is Exhibit 14, which was the second time, and I did
24 have e-mail correspondence with Dr. Chase in regards to

1 Dr. Petersen not showing up.

2 Q And, actually, yeah, if we could turn to
3 Exhibit 18.

4 A 18.

5 Q Okay. Are you familiar with this exhibit?

6 A Yes.

7 Q And what is this exhibit?

8 A This is my correspondence with Dr. Chase in
9 regards to another licensee, which is why it is redacted
10 out, and then his mention that Dr. Petersen never contacted
11 him and never showed up for the required evaluation.

12 Q And sorry if I asked this, but who is this e-mail
13 from?

14 A Mark Chase from the PRN program.

15 Q And when was it sent?

16 A April 11, 2023.

17 Q And to your knowledge did Dr. Petersen communicate
18 with Dr. Chase at all about this Order for Examination?

19 A No, not at all.

20 Q And to your knowledge did he appear at all with
21 Dr. Chase?

22 A No, he never appeared.

23 Q Okay. And just to reiterate, as part of your job
24 duty as Investigator do you communicate with Dr. Chase or

1 how often do you communicate with him?

2 A On a regular basis. I e-mail him at least once a
3 month and we talk usually once or twice a month. Since I'm
4 the compliance officer, all of the diversion reports come to
5 me, all of the Orders of Examination come through me. I
6 create them all, so I have a lot of correspondence with
7 Dr. Chase.

8 Q And did Dr. Petersen ever communicate with you?

9 A No, never.

10 MR. SHOGREN: Okay. No further questions.

11 THE WITNESS: Okay.

12 THE HEARING OFFICER: Thank you very much.

13 THE WITNESS: Thank you.

14 THE HEARING OFFICER: All right. Mr. Shogren, any
15 other witnesses?

16 MR. SHOGREN: No.

17 THE HEARING OFFICER: Okay. Then is it your plan
18 to argue?

19 MR. SHOGREN: I just had a brief closing statement
20 or argument.

21 THE HEARING OFFICER: Yeah. And I'm going to
22 clarify before you do that, before we officially close
23 evidence, that I don't have any issues with any of the
24 exhibits. I just want to look at -- Okay. Very good. So

1 all 21 exhibits are admitted.

2

3 (Exhibit Numbers 1 - 21 were admitted into evidence.)

4

5 THE HEARING OFFICER: All right. Go ahead,
6 Mr. Shogren.

7 MR. SHOGREN: So on behalf of the Investigative
8 Committee, we would like to thank you Hearing Officer
9 Woodman and Madam Court Reporter for your good work here
10 today and for the time you took to be here today, and I
11 would also like to thank the witnesses for their time and
12 consideration as well.

13 And as I mentioned in my opening statements, we
14 are here today to present evidence so the Board can
15 determine if Dr. Petersen violated the Medical Practice Act.

16 Dr. Petersen did not appear today. He was not
17 here, but you heard today first from Alexis Kent, Board
18 Investigator for the Board of Medical Examiners, just to
19 briefly summarize that she explained that Dr. Petersen was
20 sent numerous Orders and letters to produce healthcare
21 records on the two cases, investigative cases we discussed
22 here today.

23 These were sent via certified mail and e-mail.
24 They were sent to the address that Dr. Petersen reported to

1 the Board as his permanent address, which is his office, his
2 permanent public address, as well as another what appeared
3 to be a residential address that was later discovered, also
4 which was included in one of the e-mails that Dr. Petersen
5 had sent to Ms. Kent in the bottom header there was his
6 residential address.

7 So these Orders were sent to Dr. Petersen. As you
8 saw and Ms. Kent testified, Dr. Petersen acknowledged these
9 via e-mail, so the evidence shows that he was aware there
10 were multiple investigations undergoing involving patient
11 care, as well as possibly concerns of alleged possible
12 substance abuse.

13 Dr. Petersen, as the evidence showed, did not
14 comply with these Orders to produce records despite
15 communicating with Ms. Kent that he would look into it.
16 There is also evidence there that he had communicated with
17 another investigator in another case via e-mail as well.

18 The evidence also shows that the Investigative
19 Committee, the IC ordered that he appear on May 10th, 2023,
20 to address the cases under investigation. This was a
21 serious Order that he was required to comply with and he did
22 not appear.

23 And, once again, this Order was sent via e-mail
24 and mail, and was sent to the e-mail that Dr. Petersen

1 previously that year responded to or had used, as well as
2 the various addresses, including the one that he reported to
3 the Board as his permanent address.

4 Lastly, the IC ordered twice that he appear for a
5 mental and physical examination to test his competence to
6 practice medicine and determine his fitness to practice
7 medicine. As you heard from both Ms. Kent and Ms. LaRue, he
8 did not appear before Dr. Mark Chase to undergo these
9 evaluations.

10 And you also heard that the Investigator Ms. Kent
11 tried numerous times to deliver these various Orders to
12 Dr. Petersen, including personal service to two different
13 addresses that Dr. Petersen himself had put forth as either
14 permanent addresses or mailing addresses and he was nowhere
15 to be found.

16 And, lastly, the evidence shows that Dr. Petersen
17 failed to timely update his permanent address with the
18 Board. He had maintained it as 653 N. Town Circle and the
19 evidence shows -- or, sorry, 653 N. Town Center Drive is the
20 address there -- and he represented himself in an e-mail
21 that he was evicted or had to close that office in December
22 of 2022. Since then he has not changed his address with the
23 Board, so that in itself is a violation of the Medical
24 Practice Act. Therefore, several violations of failure to

1 comply with IC Orders have been presented here today.

2 I also want to, I think it's most important to
3 emphasize it again that the IC issued an Order requiring
4 that Dr. Petersen submit to an examination to determine his
5 competence to practice medicine. It probably goes without
6 saying, but the results of the examination to determine his
7 competence was extremely important to the IC, this is a
8 serious matter, to determine whether he is competent and his
9 patients are safe in his care.

10 The IC based off of the Order had serious concerns
11 also linked to possible substance abuse, and Dr. Petersen
12 despite being aware of multiple investigations,
13 acknowledging that there are investigations underway failed
14 to comply with these Orders. He failed to respond
15 whatsoever.

16 Dr. Petersen knowingly and willfully failed to
17 comply with these very important IC Orders and continues to
18 knowingly and willingly, or willfully failed to comply with
19 all of the Orders of the IC. So on behalf of the
20 Investigative Committee, we ask the Board to consider the
21 record that was presented here and render the appropriate
22 findings and discipline. Thank you.

23 THE HEARING OFFICER: Thank you, Mr. Shogren.

24 Obviously, I always prepare written decisions in

1 this case and I will do that here, but I will just give the
2 Investigative Committee my preliminary findings, which are
3 very clear that not only did the Investigative Committee
4 provide statutory notice to Dr. Petersen, but then went
5 above and beyond and provided all reasonable means of
6 attempted service. And it would seem from his e-mail
7 responses that Dr. Petersen was getting, receiving actual
8 notice and just obviously wasn't doing anything about it.

9 There is the evidence that he was found very
10 intoxicated in the hospital parking lot. Before I was aware
11 of that, just from everything else, seeing how he completely
12 ignored and essentially blew off all of the notices and
13 attempts to communicate from the Investigative Committee, it
14 has the trappings and the markings of somebody who is
15 dealing with significant personal issues, alcoholism,
16 addiction, whatever it is, because when you think of
17 everything it takes to become a practicing physician, and in
18 Dr. Petersen's case a surgeon, to let all of that go while
19 he blames the pandemic, you have to wonder if, how many
20 doctors really lost their practice because of the pandemic.

21 That seems counterintuitive since the pandemic
22 causes illness and doctors deal with illness. I'm not
23 saying that's not possible, but I am finding that he was
24 given proper notice above and beyond statutory requirements

1 and that there is clear and convincing evidence that the
2 Investigative Committee has met its burden on all six
3 counts, five counts of failure to comply with Board Orders,
4 plus the additional count of failure to notify the Board of
5 his changed address.

6 I will prepare when I get the transcript a formal
7 written decision, but, again, the evidence is clear and
8 convincing on all six counts.

9 So thank you very much, Mr. Shogren, and, again,
10 my thanks to the witnesses and to your ever helpful staff.
11 And, of course, to the lady with whom without her we have
12 got nothing, so thank you very much, Ms. Reporter.

13 MR. SHOGREN: Thank you.

14 (Whereupon the proceedings concluded at 10:16 a.m.)

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Nevada Rules of Civil Procedure
Part V. Depositions and Discovery

Rule 30

(e) Review by Witness; Changes; Signing. If requested by the deponent or a party before completion of the deposition, the deponent shall have 30 days after being notified by the officer that the transcript or recording is available in which to review the transcript or recording and, if there are changes in form or substance, to sign a statement reciting such changes and the reasons given by the deponent for making them. The officer shall indicate in the certificate prescribed by subdivision (f)(1) whether any review was requested and, if so, shall append any changes made by the deponent during the period allowed.

DISCLAIMER: THE FOREGOING CIVIL PROCEDURE RULES
ARE PROVIDED FOR INFORMATIONAL PURPOSES ONLY.
THE ABOVE RULES ARE CURRENT AS OF APRIL 1,
2019. PLEASE REFER TO THE APPLICABLE STATE RULES
OF CIVIL PROCEDURE FOR UP-TO-DATE INFORMATION.

VERITEXT LEGAL SOLUTIONS

COMPANY CERTIFICATE AND DISCLOSURE STATEMENT

Veritext Legal Solutions represents that the foregoing transcript is a true, correct and complete transcript of the colloquies, questions and answers as submitted by the court reporter. Veritext Legal Solutions further represents that the attached exhibits, if any, are true, correct and complete documents as submitted by the court reporter and/or attorneys in relation to this deposition and that the documents were processed in accordance with our litigation support and production standards.

Veritext Legal Solutions is committed to maintaining the confidentiality of client and witness information, in accordance with the regulations promulgated under the Health Insurance Portability and Accountability Act (HIPAA), as amended with respect to protected health information and the Gramm-Leach-Bliley Act, as amended, with respect to Personally Identifiable Information (PII). Physical transcripts and exhibits are managed under strict facility and personnel access controls. Electronic files of documents are stored

in encrypted form and are transmitted in an encrypted fashion to authenticated parties who are permitted to access the material. Our data is hosted in a Tier 4 SSAE 16 certified facility.

Veritext Legal Solutions complies with all federal and State regulations with respect to the provision of court reporting services, and maintains its neutrality and independence regardless of relationship or the financial outcome of any litigation. Veritext requires adherence to the foregoing professional and ethical standards from all of its subcontractors in their independent contractor agreements.

Inquiries about Veritext Legal Solutions' confidentiality and security policies and practices should be directed to Veritext's Client Services Associates indicated on the cover of this document or at www.veritext.com.

4

EXHIBIT 1

EXHIBIT 1

1 The IC may issue orders to aid its investigation, including, but not limited to, compelling a
2 licensee to appear before the IC.

3 4. Pursuant to NRS 630.318(1), if the IC has reason to believe that the conduct of any
4 physician has raised a reasonable question as to his or her competence to practice medicine with
5 reasonable skill and safety to patients, the IC may order that the physician undergo a mental or
6 physical examination, an examination testing his or her competence to practice medicine or any
7 other examination designated by the Board to assist the IC in determining the fitness of the
8 physician to practice medicine.

9 **C. Respondent's Failure to Comply With an Order for Health Care Records in NSBME**
10 **Investigative File No. 22-21819**

11 5. On July 27, 2022, pursuant to an investigation of Respondent's alleged conduct
12 related to IF 22-21819, the IC issued an Order to Produce Health Care Records (IC Order) for all
13 of the records for the patient at issue. Respondent was ordered to respond to the IC Order within
14 thirty (30) days of service. The IC Order was sent, along with an Allegation Letter, to Respondent
15 ~~via USPS first-class mail on July 27, 2022, to his permanent mailing address on file with the~~
16 Board located at 653 North Town Center Drive, Suite 314, Las Vegas, NV 89144.

17 6. Respondent failed to respond to the IC Order within thirty (30) days as ordered by
18 the IC. Accordingly, on November 17, 2022, a second IC Order was sent, along with the original
19 Allegation Letter and the Order, to Respondent via USPS first-class mail to his permanent mailing
20 address on file with the Board located at 653 North Town Center Drive, Suite 314, Las Vegas, NV
21 89144.

22 7. During the investigation of IF 22-21819, a Board investigator emailed Respondent,
23 using Respondent's email address on file with the Board. On December 7, 2022, Respondent
24 responded to the Board investigator using the same email address. In this email, Respondent
25 stated that he did not have an office or office staff, and that he was evicted from his office due to
26 an inability to pay rent for the office space. Respondent further stated that he would later give a
27 more thorough response to the Board's inquiries. Respondent has not provided further response to
28 the Board.

1 8. Respondent has further failed to respond to the IC's Orders to Respondent to
2 produce health care records pursuant to an investigation of Respondent's alleged conduct related
3 conduct related to IF 22-21819.

4 **D. Respondent's Failure to Comply With an Order for Health Care Records in NSBME**
5 **Investigative File No. 22-21949**

6 9. On November 16, 2022, pursuant to an investigation of Respondent's alleged
7 conduct related to IF 22-21949, the IC issued an Order to Produce Health Care Records (IC
8 Order), directing the production of Respondent's patient and surgical schedule from
9 August 25, 2022 through September 6, 2022. Respondent was ordered to respond to the IC Order
10 within thirty (30) days of service. The IC Order was sent, along with an Allegation Letter, to
11 Respondent via USPS first-class mail on November 16, 2022, to his permanent mailing address on
12 file with the Board located at 653 North Town Center Drive, Suite 314, Las Vegas, NV 89144.

13 10. Respondent failed to respond to the IC Order within thirty (30) days as ordered by
14 the IC. Accordingly, on December 16, 2022, a second IC Order was sent, along with the original
15 Allegation Letter and the Order, to Respondent via USPS first-class mail to his permanent mailing
16 address on file with the Board located at 653 North Town Center Drive, Suite 314, Las Vegas, NV
17 89144.

18 11. Respondent has further failed to respond to the IC's Orders to Respondent to
19 produce health care records pursuant to an investigation of Respondent's alleged conduct related
20 IF 22-21949.

21 **E. Respondent's Failure to Timely Notify the Board of a Change of Permanent Address**

22 12. During all times relevant to this Complaint, Respondent maintained with the Board
23 his permanent mailing address as 653 North Town Center Drive, Suite 314, Las Vegas, NV
24 89144.

25 13. Between January 2023 and March 2023, Board staff sent multiple letters to
26 Respondent via USPS first-class mail to his permanent mailing address on file with the Board
27 located at 653 North Town Center Drive, Suite 314, Las Vegas, NV 89144. Board staff also sent
28 letters to another address in Murietta, California, which Board investigators had reason to believe

1 Respondent resided at. These letters were returned to sender and marked “not deliverable as
2 addressed, unable to forward.”

3 14. On December 7, 2022, Respondent sent an email to a Board investigator, stating
4 that he did not have an office or office staff, and that he was evicted from his office due to
5 inability to pay rent for the office space.

6 15. Respondent has failed to notify the Board of a change of his permanent mailing
7 address.

8 **F. Respondent’s Failure to Comply With an Order for Appearance at the IC Meeting**

9 16. On February 22, 2023, pursuant to NRS 630.311(1), the IC issued an Order for
10 Appearance (Appearance Order) to Respondent via USPS certified mail to his permanent mailing
11 address on file with the Board located at 653 N Town Center Drive, Suite 314, Las Vegas, NV
12 89144, whereby Respondent was required to appear before the IC on May 10, 2023, to discuss his
13 open investigations before the IC members.

14 17. An investigator for the Board also emailed Respondent a copy of the Appearance
15 Order to Respondent’s email on record on February 22, 2023.

16 18. On March 10, 2023, Board staff also mailed the Appearance Order to a second
17 address in Murrieta, California, where Board investigators believed Respondent may have resided.

18 19. On May 10, 2023, Respondent failed to appear before the IC pursuant to the
19 Appearance Order.

20 **G. Respondent’s Failure to Comply With an Order for an Examination to Determine**
21 **Fitness to Practice Medicine**

22 20. On February 21, 2023, pursuant to NRS 630.318(1), the IC issued an Order for
23 Examination, requiring Respond to appear before an examiner located at Professional Recovery
24 Network on March 7, 2023, for evaluation. The Order for Examination was issued to Respondent
25 by USPS certified mail to his permanent mailing address on file with the Board located at 653 N
26 Town Center Drive, Suite 314, Las Vegas, NV 89144. The IC issued the Order for Examination
27 due to multiple investigations conducted by the Board involving Respondent’s alleged substance
28 abuse.

1 address on record with the Board (with a courtesy copy to Respondent's email address on file with
2 the Board).

3 30. By reason of the foregoing, Respondent is subject to discipline by the Board as
4 provided in NRS 630.352.

5 **COUNT II**

6 **NRS 630.3065(2)(a) - Knowing and Willful Failure to Comply With Investigative**
7 **Committee Order**

8 31. All of the allegations in the above paragraphs are hereby incorporated as if fully set
9 forth herein.

10 32. NRS 630.3065(2)(a) provides that knowingly or willfully failing to comply with a
11 regulation, subpoena or order of the Board or a committee designated by the Board to investigate a
12 complaint against a physician is grounds for disciplinary action.

13 33. Respondent knowingly and willingly failed to comply with the IC's Order to
14 Produce Health Care Records pursuant to an investigation of Respondent's alleged conduct related
15 to IF 22-21949, after being served with two (2) orders by mail to Respondent's permanent mailing
16 address on record with the Board (with a courtesy copy to Respondent's email address on file with
17 the Board).

18 34. By reason of the foregoing, Respondent is subject to discipline by the Board as
19 provided in NRS 630.352.

20 **COUNT III**

21 **NRS 630.306(1)(j) - Failing to Timely Notify the Board of a Change of Permanent Address**

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

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

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

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38. 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.

39. 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.

40. By reason of the foregoing, Respondent is subject to discipline by the Board as provided in NAC 630.555 and NRS 630.352.

COUNT IV

NRS 630.3065(2)(a) - Knowing and Willful Failure to Comply With Investigative Committee Order

41. All of the allegations in the above paragraphs are hereby incorporated as if fully set forth herein.

42. NRS 630.3065(2)(a) provides that knowingly or willfully failing to comply with a regulation, subpoena or order of the Board or a committee designated by the Board to investigate a complaint against a physician is grounds for disciplinary action.

43. Respondent knowingly and willingly failed to comply with the IC's Order for Appearance at the IC meeting held on May 10, 2023 as ordered, after being served with said order to Respondent's permanent mailing address of record with the Board (with a courtesy copy to Respondent's email address on file with the Board).

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

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COUNT V

**NRS 630.3065(2)(a) - Knowing and Willful Failure to Comply With Investigative
Committee Order**

45. All of the allegations in the above paragraphs are hereby incorporated as if fully set forth herein.

46. NRS 630.3065(2)(a) provides that knowingly or willfully failing to comply with a regulation, subpoena or order of the Board or a committee designated by the Board to investigate a complaint against a physician is grounds for disciplinary action.

47. Respondent knowingly and willingly failed to comply with the IC's Order for Examination, dated February 21, 2023, after being served said Order for Examination via USPS certified mail to Respondent's permanent address of record with the Board, by failing to appear at the March 7, 2023, examination as ordered.

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

COUNT VI

**NRS 630.3065(2)(a) - Knowing and Willful Failure to Comply With Investigative
Committee Order**

49. All of the allegations in the above paragraphs are hereby incorporated as if fully set forth herein.

50. NRS 630.3065(2)(a) provides that knowingly or willfully failing to comply with a regulation, subpoena or order of the Board or a committee designated by the Board to investigate a complaint against a physician is grounds for disciplinary action.

51. Respondent knowingly and willingly failed to comply with the IC's Order for Examination, dated March 8, 2023, after being served said Order for Examination via USPS certified mail to Respondent's permanent mailing address of record, by failing to appear at the April 4, 2023, examination as ordered.

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

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

2 1. That the Board give Respondent notice of the charges herein against him and give
3 him notice that he may file an answer to the Complaint herein as set forth in
4 NRS 630.339(2) within twenty (20) days of service of the Complaint;

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

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

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

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

13 6. That the Board take such other and further action as may be just and proper in these
14 premises.

15 DATED this 16th day of June, 2023.

16 INVESTIGATIVE COMMITTEE OF THE
17 NEVADA STATE BOARD OF MEDICAL EXAMINERS

18 By:



19 WILLIAM P. SHOGREN

20 Deputy General Counsel

21 9600 Gateway Drive

22 Reno, NV 89521

23 Tel: (775) 688-2559

24 Email: wshogren@medboard.nv.gov

25 *Attorney for the Investigative Committee*

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VERIFICATION

STATE OF NEVADA)
 : ss.
COUNTY OF CLARK)

Victor M. Muro, 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 16th day of June, 2023.

INVESTIGATIVE COMMITTEE OF THE
NEVADA STATE BOARD OF MEDICAL EXAMINERS

By: 
VICTOR M. MURO, M.D.
Chairman of the Investigative Committee

1 **CERTIFICATE OF SERVICE**

2 I hereby certify that I am employed by the Nevada State Board of Medical Examiners and
3 that on the 16th day of June, 2023, I served a file-stamped copy of the foregoing **COMPLAINT**
4 and required fingerprinting materials, via USPS Certified Mail, postage pre-paid, to the following
5 parties:

6 KEVIN C. PETERSEN, M.D.
7 653 North Town Center, Suite 314
8 Las Vegas, NV 89144

9 9171 9690 0935 0255 6992 85

10 *Tracking No.:* _____

11 KEVIN C. PETERSEN, M.D.
12 40170 Via Tonada
13 Murrieta, CA 92562

14 9171 9690 0935 0255 6992 92

15 *Tracking No.:* _____

16 DATED this 16th day of June, 2023.

17 
18 _____
19 **MERCEDES FUENTES**
20 Legal Assistant
21 Nevada State Board of Medical Examiners
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EXHIBIT 2

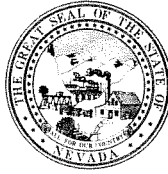
EXHIBIT 2

NEVADA STATE BOARD OF MEDICAL EXAMINERS

325 E. Warm Springs Road, Suite 225
Las Vegas, NV 89119

Victor M. Muro, M.D.
Board President

Edward O. Cousineau, J.D.
Executive Director



July 11, 2022

Kevin C. Petersen, M.D.
653 North Town Center Drive, Suite 314
Las Vegas, Nevada 89144

RE: BME CASE #: [REDACTED]
PATIENT: [REDACTED] **DOB:** [REDACTED]

Dear Dr. Petersen:

We have received information and a complaint regarding the request for health care records for above-named patient.

It is alleged:

1. On or about March 11, 2022, a request for health care records was sent to you.
2. After not receiving a response from the first request, a second request was sent to you on or about May 6, 2022.
3. Between May 23, 2022, and May 26, 2022, staff from the Nevada State Board of Medical Examiners unsuccessfully attempted to contact you using the contact information you provided to the Board.
4. On or about June 6, 2022, I made telephonic contact with you and provided you with the details of the records request.
5. After not responding to the previous requests, on or about June 21, 2022, I again made telephonic contact with you.
6. You requested I email you the request and mark the email "important".
7. As of July 11, 2022, you have failed to comply with the request for medical records.

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).

In order to determine whether or not there has been a violation of the NMPA, **please provide a written response to each allegation noted above, as well as complete health care records for the aforesaid patient. Include copies of any imaging, x-ray or other films that were produced during treatment of this patient.** 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 30 calendar days.**

Please return the health care records with the signed Custodian of Records Affidavit, enclosed herewith. If you are not a custodian of the patient records, please indicate where the health care records can be obtained.

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 629.061(1)(a), NRS 630.301(4), NAC 630.040 & NRS 630.306(1)(b)(2).

Respectfully,



Ryan Swank, Investigator
Nevada State Board of Medical Examiners
Las Vegas Office

EXHIBIT 3

EXHIBIT 3

1 and produce said records in the aforesaid manner may subject you to potential disciplinary action, to
2 include a violation of NRS 630.3065(2)(a); further the Investigative Committee may seek
3 administrative sanctions as set forth in NRS 630.352.

4 Additionally, compliance with this Board Order is deemed compulsory and shall not be
5 deemed to be cooperation subject to the protections provided to a physician pursuant to NRS
6 630.364(3).

7 Dated this 11th day of July, 2022.

8 NEVADA STATE BOARD OF MEDICAL EXAMINERS
9 INVESTIGATIVE COMMITTEE

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Bret W. Frey, M.D., Chairman
12 Nevada State Board of Medical Examiners
13 Investigative Committee

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EXHIBIT 4

EXHIBIT 4

NEVADA STATE BOARD OF MEDICAL EXAMINERS

325 E. Warm Springs Road, Suite 225
Las Vegas, NV 89119

Victor M. Muro, M.D.
Board President

Edward O. Cousineau, J.D.
Executive Director



Second Request

August 22, 2022

Kevin C. Petersen, M.D.
653 North Town Center Drive, Suite 314
Las Vegas, Nevada 89144

RE: BME CASE #: [REDACTED]

PATIENT: [REDACTED] **DOB:** [REDACTED]

Dear Dr. Petersen:

This is the **second request** for your reply and a copy of the health care records regarding the patient associated with this case. Please provide the requested reply to the allegations and the copy of the related health care records. You received an Order to produce such records with the letter dated **July 11, 2022** but have not yet complied. 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 and Order to Produce Medical Records sent to you on July 11, 2022.

Should you have any questions you may contact me at (702) 486-3678.

Respectfully,

A handwritten signature in black ink, appearing to read "Ryan Swank", with a horizontal line underneath.

Ryan Swank, Investigator
Nevada State Board of Medical Examiners
Las Vegas Office

EXHIBIT 5

EXHIBIT 5

1 **The Investigative Committee of the Board of**
2 **Medical Examiners of the State of Nevada**

3 * * * * *

4
5 In the Matter of the Investigation of:)
6)
7 **Kevin C. Petersen, M.D.**) **Case No.** [REDACTED]
8 **License No. 9665**)
9)
10)

11 **ORDER TO PRODUCE HEALTH CARE RECORDS**

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

14 **Kevin C. Petersen, M.D.**
15 **653 North Town Center Drive, Suite 314**
16 **Las Vegas, NV 89144**

17 Pursuant to the authority of Nevada Revised Statute (NRS) 630.311(1), the IC directs you to
18 produce and deliver to the Nevada State Board of Medical Examiners, the materials as set forth in
19 this Order:

- 20 1. Properly authenticated and complete copies of any and all health care records of patient:
21 [REDACTED] DOB: [REDACTED] from June 25, 2020, through the
22 present date, and a formal written response to the allegations concerning the care and
23 treatment of patient Miguel Boccadoro Verdaguer regarding the letter dated August 22,
24 2022.
25 2. If health care records are provided electronically, they must be in a searchable format.

26
27 Said records shall be provided to an investigator of the Nevada State Board of Medical Examiners
28 within 15 days of service of this Order delivered to Nevada State Board of Medical Examiners,
Attn. Ryan Swank 325 E. Warm Springs Road Suite 225 Las Vegas, NV 89119. Failure to comply

1 and produce said records in the aforesaid manner may subject you to potential disciplinary action, to
2 include a violation of NRS 630.3065(2)(a); further the Investigative Committee may seek
3 administrative sanctions as set forth in NRS 630.352.

4 Additionally, compliance with this Board Order is deemed compulsory and shall not be
5 deemed to be cooperation subject to the protections provided to a physician pursuant to NRS
6 630.364(3).

7 Dated this 22nd day of August, 2022.

8 NEVADA STATE BOARD OF MEDICAL EXAMINERS
9 INVESTIGATIVE COMMITTEE


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11 _____
12 Bret W. Frey, M.D., Chairman
13 Nevada State Board of Medical Examiners
14 Investigative Committee
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EXHIBIT 6

EXHIBIT 6

NEVADA STATE BOARD OF MEDICAL EXAMINERS

325 E. Warm Springs Road, Suite 225
Las Vegas, NV 89119

Victor M. Muro, M.D.
Board President



Edward O. Cousineau, J.D.
Executive Director

July 27, 2022

Kevin C. Petersen, M.D.
653 N. Town Center Drive, Suite 314
Las Vegas, Nevada 89144

RE: BME CASE #: [REDACTED]

PATIENT: [REDACTED] **DOB:** [REDACTED]

Dear Dr. Petersen:

We have received information and a complaint regarding your medical treatment of the above-named patient. The complaint alleges your care and treatment of the patient may have fallen below the standard of care.

It is alleged:

1. On or about July 19, 2022, the patient presented to you for a pre-surgery examination.
2. The patient's appointment was scheduled for 10:00 a.m., however you failed to see the patient until 12:30 p.m.
3. Your appearance during this appointment was "disheveled".
4. You rescheduled the patient's original surgery date from July 21, 2022, to July 22, 2022, at 1:00 p.m.
5. On or about July 22, 2022, the patient arrived at about 12:00 p.m. and you informed the patient the surgery was scheduled for 2:00 p.m.
6. After being prepped for surgery, the patient was informed you were not going to perform the procedure.
7. On or about July 22, 2022, at about 4:30 p.m., you informed the patient to go to his office on July 23, 2022, to obtain his deposit for the surgery.
8. When the patient called to inform you they were enroute to your office, you informed the patient you would mail the check to him.

9. After the patient explained they were from out of state and needed the money to return home, you abruptly disconnected the call.

It is further alleged:

10. You may be billing the patient for services which were not rendered or documented in the records of the patient.
11. Your unprofessional and disruptive behavior with the patient has interfered with patient's care or has an adverse impact on the quality of care rendered to a patient.
12. You abandoned the patient when you terminated his medical care without adequate notice or without making other arrangements for the continued care of the patient.

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).

In order to determine whether or not there has been a violation of the NMPA, **please provide a written response to each allegation noted above, as well as complete health care records for the aforesaid patient. Include copies of any imaging, x-ray or other films that were produced during treatment of this patient.** 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 30 calendar days.**

Please return the health care records with the signed Custodian of Records Affidavit, enclosed herewith. If you are not a custodian of the patient records, please indicate where the health care records can be obtained.

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 630.301(4)(6), NAC 630.040, NRS 630.304(7), NRS 630.305(1)(d) & NRS 630.306(1)(b)(2).

Respectfully,

Ryan Swank, Investigator

Nevada State Board of Medical Examiners
Las Vegas Office

EXHIBIT 7

EXHIBIT 7

1 include a violation of NRS 630.3065(2)(a); further the Investigative Committee may seek
2 administrative sanctions as set forth in NRS 630.352.

3 Additionally, compliance with this Board Order is deemed compulsory and shall not be
4 deemed to be cooperation subject to the protections provided to a physician pursuant to NRS
5 630.364(3).

6 Dated this 27th day of July, 2022.

7 NEVADA STATE BOARD OF MEDICAL EXAMINERS
8 INVESTIGATIVE COMMITTEE


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10 _____
11 Victor M. Muro, M.D., Chairman
12 Nevada State Board of Medical Examiners
13 Investigative Committee
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EXHIBIT 8

EXHIBIT 8

NEVADA STATE BOARD OF MEDICAL EXAMINERS

325 E. Warm Springs Road, Suite 225
Las Vegas, NV 89119

Aury Nagy, M.D.
Board President

Edward O. Cousineau, J.D.
Executive Director



Second Request

November 17, 2022

Kevin Petersen, MD
653 North Town Center Drive, Suite 314
Las Vegas, Nevada 89144

RE: BME CASE [REDACTED]
PATIENT: [REDACTED] **DOB** [REDACTED]

Dear Dr. Petersen,

This is the **second request** for your reply and a copy of the health care records regarding the patient associated with this case. Please provide the requested reply to the allegations and the copy of the related health care records. You received an Order to produce such records with the letter dated July 27, 2022, but have not yet complied. 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.**

Be advised that your failure to produce and make available health care records to an authorized representative or Investigator of the Board, as prescribed by Nevada law is grounds for the Investigative Committee to initiate a Formal Complaint against you, which may result in disciplinary action or denial of licensure (NRS 629.061; 630.3062(4); 630.352).

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 and Order to Produce Medical Records sent to you on July 27, 2022.

Should you have any questions you may contact me at 775-486-3813.

Respectfully,

Alexis Kent, Investigator

EXHIBIT 9

EXHIBIT 9

NEVADA STATE BOARD OF MEDICAL EXAMINERS
325 E. Warm Springs Road, Suite 225
Las Vegas, NV 89119

Aury Nagy, M.D.
Board President

Edward O. Cousineau, J.D.
Executive Director



November 16, 2022

Kevin Petersen, MD
10741 Sapphire Vista Ave.
Las Vegas, Nevada 89148

RE: BME CASE #: [REDACTED]

Dear Dr. Petersen,

We have received information and a complaint regarding an incident that occurred at Summerlin Hospital.

It is alleged:

1. On or about August 30, 2022, you presented to the Summerlin Hospital Emergency Room for care dressed in hospital scrubs and wearing a hospital ID on your chest.
2. You were found in the Summerlin Hospital parking lot in a "disoriented" state.
3. Evaluation showed that you had a high alcohol level and were "extremely intoxicated."
4. You indicated to staff nurses that you were there to see patients and later denied having scheduled surgical cases to a physician.
5. You were reporting to the hospital with the intent to see patients at an intoxication level that posed a threat to yourself and potential patients.
6. Your medical records show that you suffer from severe alcoholism and require immediate treatment.

It is further alleged that:

1. You failed to notify the Nevada State Board of Medical Examiners of a change of address within 30 days.

In addition, please provide a response to the following questions:

1. Please provide the current status regarding all of your medical staff privileges at all hospitals and/or medical facilities.

Telephone 702-486-3300 • Fax 702-486-3301 • medboard.nv.gov • nsbme@medboard.nv.gov

2. Please provide your patient and surgical schedule from August 25 to September 6, 2022.
3. Were you scheduled to see patients at Summerlin Hospital or any other medical facility on August 30, 2022.

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).

In order to determine whether or not there has been a violation of the NMPA, **please provide a written response to each allegation 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 30 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 630.306(1)(a)(b)(h) & NRS 630.254(1).

Respectfully,



Alexis Kent, Investigator
Las Vegas Office

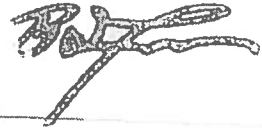
EXHIBIT 10

EXHIBIT 10

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Dated this 16th day of November, 2022.

NEVADA STATE BOARD OF MEDICAL EXAMINERS
INVESTIGATIVE COMMITTEE



Bret W. Frey, M.D., Chairman

Nevada State Board of Medical Examiners
Investigative Committee

EXHIBIT 11

EXHIBIT 11

NEVADA STATE BOARD OF MEDICAL EXAMINERS

325 E. Warm Springs Road, Suite 225
Las Vegas, NV 89119

Aury Nagy, M.D.
Board President

Edward O. Cousineau, J.D.
Executive Director



Second and Final Request

December 16, 2022

VIA CERTIFIED MAIL

Kevin Petersen, MD
653 North Town Center Drive, Suite 314
Las Vegas, Nevada 89144

RE: BME CASE [REDACTED]

Dear Dr. Petersen,

This is the **second and final request** for your reply and a copy of the records associated with this case. Please provide the requested reply to the allegations and the copy of the related records. You received an Order to produce such records with the letter dated November 16, 2022 but have not yet complied. Failure to comply with an Order of the Board constitutes grounds for initiating disciplinary action. NRS 630.3065. Failure to produce and make available health care records to an authorized representative or Investigator of the Board, as prescribed by Nevada law is also grounds for initiating disciplinary action or denial of licensure. NRS 629.061; 630.3062(4); 630.352. **Please reply to this request within 15 calendar 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 and Order to Produce Health Care Records sent to you on November 16, 2022.

Should you have any questions you may contact me at 775-486-3813.

Respectfully,

Alexis Kent
Investigator
Las Vegas Office

A handwritten signature in black ink, appearing to be "Alexis Kent", is written over the typed name.

EXHIBIT 12

EXHIBIT 12

Ryan Swank

From: Kevin Petersen, M.D. [REDACTED]
Sent: Sunday, September 25, 2022 3:47 PM
To: Ryan Swank
Subject: Nevada State Board of Medical Examiners Case [REDACTED]

WARNING - This email originated from outside the State of Nevada. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Dear Mr. Swanky,

I am unable to find this patients records at this time. My office manager of 18 years and my only employee quit four months ago because I had been unable to make payroll for 3 pay periods. The pandemic has severely affected my business. She was certain that the practice would fail, moved to California and got a new job. This was particularly harsh on me because she is also my wife. Also I had unable to pay office rent for 7 months and have been evicted from my office. I am also recovering from emergency back surgery two weeks ago. I anticipate that when I have recovered from my back surgery I will be to complete moving and reorganizing my patient records then I will be able to find his records and send them to this patient asap. I have not been negligent. I am just a victim of current circumstances.

Sincerely,

Kevin C. Petersen, M.D.
Licence: 9665

Alexis Kent

From: Kevin Petersen, M.D. <[REDACTED]>
Sent: Wednesday, December 7, 2022 5:16 PM
To: Alexis Kent
Subject: Re: FW: Last request [REDACTED]
Attachments: Today.pdf

WARNING - This email originated from outside the State of Nevada. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Mr Kent,

I am sorry I have been so late to respond. Please let me explain. This week is the first time in three months that I have been physically well enough to leave my house. For the entire months of September and October I was hospitalized. Early September I had a back injury which resulted in neurological deficit in my legs, two major surgeries, two months of hospital stay for recovery and intensive physical therapy. I have been home for six weeks getting home physical therapy. This week was the first time in 10 weeks I was well enough to leave the house.

I do not have an office or office staff. Because of the financial devastation inflicted on my practice by the pandemic I was unable to pay my office rent and was eventually evicted from my office. My office manager of 18 years quit and found employment elsewhere.

I just today got an eviction notice for my home (see attached) which I need to find a way to deal with.

My story is not unique and I am sure you have seen many others who have been devastated by the pandemic.

I am not practicing medicine or doing surgery because of my physical limitations and because I do not have an office.

Please give me a few more days and I will give you a more thorough response to your inquiries.

Kevin C. Petersen, M.D.
725 780-0684
10741 Sapphire Vista Ave
Las Vegas, NV 89144

On Thu, Nov 17, 2022 at 9:23 AM Alexis Kent <[REDACTED]> wrote:

Alexis Kent
Investigator
Nevada State Board of Medical Examiners - Las Vegas Office

702-486-3813
325 E Warm Springs Rd. Suite 225
Las Vegas, NV 89119

-----Original Message-----


EXHIBIT 13

EXHIBIT 13

1 **INVESTIGATIVE COMMITTEE OF THE BOARD OF MEDICAL**
2 **EXAMINERS OF THE STATE OF NEVADA**

3 * * * * *

4
5 **In the Matter of the Investigation of:**

Case Nos.: 

6 **KEVIN C. PETERSEN, M.D.,**

7 **License No. 9665**
8

9 **ORDER FOR EXAMINATION**

10 **TO: Kevin C. Petersen, M.D.**
11 **653 North Town Center Drive, Suite 314**
Las Vegas, NV 89144

12 The Investigative Committee (IC) of the Nevada State Board of Medical Examiners (Board),
13 having reason to believe that the conduct of Kevin C. Petersen, M.D., License No. 9665 (Licensee)
14 has raised reasonable question as to his competence to practice medicine with reasonable skill and
15 safety to patients, hereby enters the following Order for Examination (Order) pursuant to
16 NRS 630.318:

17 **IT IS HEREBY ORDERED**, that Licensee shall undergo a mental and physical
18 examination testing his competence to practice medicine and determining his fitness to practice
19 medicine, specifically addressing, but not limited to, an examination addressing the presence of a
20 substance use disorder and/or the inability to practice medicine with reasonable skill and safety
21 due to the use of alcohol, drugs, narcotics or any other substance (Examination).

22 **IT IS HEREBY FURTHER ORDERED**, that Licensee appear before Dr. Mark Chase
23 (Examiner), located at Professional Recovery Network (PRN), 7473 West Lake Mead Blvd.,
24 Suite 213, Las Vegas, NV 89128, on **March 7, 2023 at 9:00 a.m. PST** for evaluation. For
25 directions to this location, Examiner's telephone number is (702) 561-1230 or (702) 335-9943.
26 The Examiner shall promptly provide a thorough report to the IC of the results of the Examination.

27 ///

28 ///

Alexis Kent

From: Microsoft Outlook
To: Kevin Petersen, M.D.
Sent: Wednesday, February 22, 2023 8:42 AM
Subject: Relayed: NSBME ORDER FOR EXAMINATION

Delivery to these recipients or groups is complete, but no delivery notification was sent by the destination server:

Kevin Petersen, M.D. [REDACTED]

Subject: NSBME ORDER FOR EXAMINATION



NSBME ORDER
FOR EXAMINATI...

EXHIBIT 14

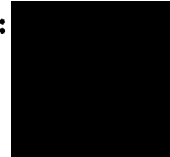
EXHIBIT 14

1 **INVESTIGATIVE COMMITTEE OF THE BOARD OF MEDICAL**
2 **EXAMINERS OF THE STATE OF NEVADA**

3 * * * * *

4
5 **In the Matter of the Investigation of:**
6 **KEVIN C. PETERSEN, M.D.,**
7 **License No. 9665**

Case Nos.:



8
9 **ORDER FOR EXAMINATION**

10 **TO: Kevin C. Petersen, M.D.**
11 **653 North Town Center Drive, Suite 314**
Las Vegas, NV 89144

12 The Investigative Committee (IC) of the Nevada State Board of Medical Examiners (Board),
13 having reason to believe that the conduct of Kevin C. Petersen, M.D., License No. 9665 (Licensee)
14 has raised reasonable question as to his competence to practice medicine with reasonable skill and
15 safety to patients, hereby enters the following Order for Examination (Order) pursuant to
16 NRS 630.318:

17 **IT IS HEREBY ORDERED**, that Licensee shall undergo a mental and physical
18 examination testing his competence to practice medicine and determining his fitness to practice
19 medicine, specifically addressing, but not limited to, an examination addressing the presence of a
20 substance use disorder and/or the inability to practice medicine with reasonable skill and safety
21 due to the use of alcohol, drugs, narcotics or any other substance (Examination).

22 **IT IS HEREBY FURTHER ORDERED**, that Licensee appear before Dr. Mark Chase
23 (Examiner), located at Professional Recovery Network (PRN), 7473 West Lake Mead Blvd.,
24 Suite 213, Las Vegas, NV 89128, on **April 4, 2023 at 9:00 a.m. PST** for evaluation. For
25 directions to this location, Examiner's telephone number is (702) 561-1230 or (702) 335-9943.
26 The Examiner shall promptly provide a thorough report to the IC of the results of the Examination.

27 ///

28 ///

Alexis Kent

From: Microsoft Outlook
To: Kevin Petersen, M.D.
Sent: Thursday, March 9, 2023 1:06 PM
Subject: Relayed: NSBME ORDER FOR EXAMINATION

Delivery to these recipients or groups is complete, but no delivery notification was sent by the destination server:

Kevin Petersen, M.D. [REDACTED]

Subject: NSBME ORDER FOR EXAMINATION



NSBME ORDER
FOR EXAMINATI...

EXHIBIT 15

EXHIBIT 15

1 Therefore, it is hereby **ORDERED**, that:

2 You shall appear before the Investigative Committee of the Nevada State Board of
3 Medical Examiners on Wednesday, May 10, 2023 at 2:00 pm at the offices of the Nevada
4 State Board of Medical Examiners, located at 325 E Warm Springs Rd., Suite 225, Las
5 Vegas, NV 89119 At said appearance you shall be expected to discuss the matters set forth
6 above with the members of the Investigative Committee.

7 Be advised that NRS 630.3065(2) (a) provides in part, that the willful failure to comply
8 with an Order by the Board or a committee designated by the Board to investigate a complaint
9 against a physician is grounds for disciplinary action against the licensee:

10 Compliance with this Order is deemed compulsory and shall not be deemed to be
11 cooperation subject to the whistle-blower protections provided to physicians in NRS 630.364(3).

12 DATED this 22nd day of February 2023.

13 NEVADA STATE BOARD OF MEDICAL EXAMINERS
14 INVESTIGATIVE COMMITTEE

15 

16 _____
17 Victor M. Muro, M.D., Chairman
18 Nevada State Board of Medical Examiners
19 Investigative Committee
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EXHIBIT 16

EXHIBIT 16

Alexis Kent

From: Alexis Kent
Sent: Wednesday, February 22, 2023 8:37 AM
To: Kevin Petersen, M.D.
Subject: NSBME ORDER TO APPEAR
Attachments: ORDER TO APPEAR.pdf

Dr. Petersen,

Attached is an Order to Appear in front of the Investigative Committee on Wednesday May 10, 2023 at 2:00 pm. Please confirm receipt and attendance.

Thank you,

Alexis Kent
Investigator

Nevada State Board of Medical Examiners
325 E. Warm Springs Road, Suite 225
Las Vegas, NV 89119
Email: [REDACTED]
O: 702-486-3813

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Alexis Kent

From: Microsoft Outlook
To: Kevin Petersen, M.D.
Sent: Wednesday, February 22, 2023 8:37 AM
Subject: Relayed: NSBME ORDER TO APPEAR

Delivery to these recipients or groups is complete, but no delivery notification was sent by the destination server:

Kevin Petersen, M.D. [REDACTED]

Subject: NSBME ORDER TO APPEAR

EXHIBIT 17

EXHIBIT 17

CERTIFIED MAIL



7022 0410 0002 9966 0798



RECEIVED

MAR 06 2023

NEVADA STATE BOARD OF
MEDICAL EXAMINERS

Kevin Petersen, M.D.

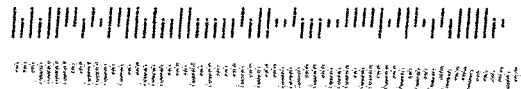
653 N Town Center Drive, Suite 314

Las Vegas, NV 89144

CONFIDENTIAL

NIXIE 851 DE 1 0003/02/23

RETURN TO SENDER



SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Kevin Peterson, M.D.
40170 Via Tonda
Mukweta, CA 92562



9590 9402 6856 1104 7104 45

2. Article Number (Transfer from service label)

7022 0410 0002 9966 0835

PS Form 3811, July 2020 PSN 7530-02-000-9053

COMPLETE THIS SECTION ON DELIVERY

- A. Signature Agent
 Addressed
- B. Received by (Printed Name) _____ C. Date of Delivery _____
- D. Is delivery address different from item 1? Yes
 If YES, enter delivery address below: No

3. Service Type

- Adult Signature
- Adult Signature Restricted Delivery
- Certified Mail®
- Certified Mail Restricted Delivery
- Collect on Delivery
- Collect on Delivery Restricted Delivery
- Insured Mail
- Insured Mail Restricted Delivery (over \$500)
- Priority Mail Express®
- Registered Mail™
- Registered Mail Restricted Delivery
- Signature Confirmation™
- Signature Confirmation Restricted Delivery

Domestic Return Receipt

**U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
Domestic Mail Only**

For delivery information, visit our website at www.usps.com®

OFFICIAL USE

Certified Mail Fee \$ 4.15

Extra Services & Fees (check box, add fee as appropriate)

Return Receipt (hardcopy) \$ 3.35

Return Receipt (electronic) \$ _____

Certified Mail Restricted Delivery \$ _____

Adult Signature Required \$ _____

Adult Signature Restricted Delivery \$ _____

Postage \$ 1.92

Total Postage and Fees \$ 8.82

Postmark Here

Sent To Kevin Peterson MD

Street and Apt. No., or P.O. Box No. 40170 Via Tonda

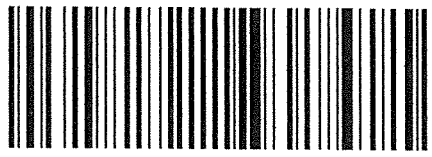
City, State, ZIP+4® Mukweta, CA 92562

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

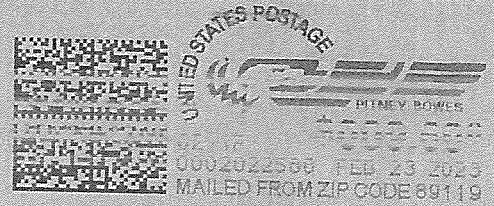
5589 9966 0002 9966 0835 7022

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT OF THE RETURN ADDRESS, FOLD AT DOTTED LINE

CONFIDENTIAL MAIL



7022 0410 0002 9966 0781



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FEB 03 2023

NEBRASKA STATE BOARD OF
MEDICAL EXAMINERS

Kevin Petersen, M.D.
653 N Town Center Drive, Suite 314
Las Vegas, NV 89144

CONFIDENTIAL



MON 06 MAR 2023



-R-T-S- 891445217-1N 03/06/23

RETURN TO SENDER
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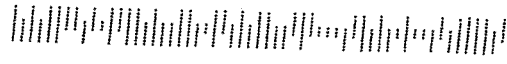


EXHIBIT 18

EXHIBIT 18

Archived: Monday, December 4, 2023 11:58:36 AM

From: [Johnna S. LaRue](#)

Sent: Friday, June 16, 2023 10:27:15 AM

To: [William Shogren](#)

Subject: FW: Odds & Ends

Response requested: No

Sensitivity: Normal

PRN email

Thank You,

Johnna



Johnna S. LaRue, CMBI

Deputy Chief of Investigations

Nevada State Board of Medical Examiners

9600 Gateway Drive

Reno, NV 89521

Ph: (775) 324-9377 Fax: (775) 688-2553

Website: medboard.nv.gov

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From: Mark Chase [REDACTED]

Sent: Tuesday, April 11, 2023 12:08 PM

To: Johnna S. LaRue [REDACTED]

Subject: Odds & Ends

WARNING - This email originated from outside the State of Nevada. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Hi Johnna, [REDACTED]

[REDACTED] received an email from Alexis Kent regarding an assessment for Dr. Peterson. I have not heard from Dr. Peterson, even though she stated he was to meet with me on April 4th. Mark

Mark Chase, MA, MBA

Doctoral Candidate-Neuropsychology

NSBME 045

LCADC (NV 02479-I), CPC (NV CI697), CSAT-I
Clinical Program Director
(702) 335-9943

Professional Recovery Network (PRN)
7473 West Lake Mead Blvd. Suite 213
Las Vegas, NV 89128
(702) 562-1230

Confidentiality Notice: This email and any files transmitted with it are confidential and are intended solely for the use of the individual to which they are addressed. 42 CFR part 2 prohibits unauthorized disclosure of these records. This communication may contain material protected by HIPAA legislation (45 CFR, Parts 160 & 164). Please notify the sender by replying to this email if you have received it in error.

EXHIBIT 19

EXHIBIT 19

AFFP
23-19611-1

FILED

OCT - 5 2023

NEVADA STATE BOARD OF
MEDICAL EXAMINERS

By: _____

Affidavit of Publication

STATE OF NEVADA }
COUNTY OF CLARK }

SS

NEVADA BOARD OF MEDICAL EXAMINERS

Case No. 23-19611-1

To: Kevin C. Petersen, M.D., Respondent

You are hereby notified that the Investigative Committee of the Nevada State Board of Medical Examiners filed a formal complaint against you alleging violations of Nevada Revised Statutes (NRS) Chapter 630 and Nevada Administrative Code (NAC) Chapter 630 (collectively, the Medical Practice Act). The Complaint was mailed via USPS e-certified return receipt mail to you at your address of record with the Board: 653 North Town Center, Suite 314, Las Vegas, Nevada 89144. The Complaint was returned to the Board as undeliverable. Personal service was also attempted to your address of record with the Board, to no avail. You are further notified that you may be subject to sanctions enunciated in NRS 630.352, which includes the potential for revocation of your license to practice medicine in the state of Nevada. In accord with NRS 630.344, if this Complaint cannot be served on Respondent personally, or by registered or certified mail with return receipt requested addressed to the Respondent at his last known address set forth above, and if said notice by mail is returned undelivered, the Board shall cause notice to be published once a week for four consecutive weeks in a newspaper published in Clark County, Nevada. Proof of such service or publication of notice must be filed with the Board. Dated this 18th day of July, 2023 Signed: William P. Shogren, Deputy General Counsel and Attorney for the Investigative Committee of The Nevada State Board of Medical Examiners
Published in Nevada Legal News
July 25, August 1, 8, 15, 22, 2023

I, Scott Sibley state:

That I am Publisher of the Nevada Legal News, a daily newspaper of general circulation, printed and published in Las Vegas, Clark County, Nevada; that the publication, a copy of which is attached hereto, was published in the said newspaper on the following dates:

- Jul 25, 2023
- Aug 01, 2023
- Aug 08, 2023
- Aug 15, 2023
- Aug 22, 2023

That said newspaper was regularly issued and circulated on those dates. I declare under penalty of perjury that the foregoing is true and correct.

DATED: Aug 22, 2023



Scott Sibley

04118152 00526828

NEVADA STATE BOARD OF MEDICAL
EXAMINERS
9600 GATEWAY DRIVE
RENO, NV 89521

EXHIBIT 20

EXHIBIT 20

Archived: Friday, October 13, 2023 11:28:51 AM

From: [Mercedes Fuentes](#)

Sent: Monday, October 2, 2023 4:24:00 PM

To: [Tiffany Rushing](#); [Charles Woodman](#); [REDACTED]

Cc: [William Shogren](#)

Subject: RE: Hearing Officer Appointment - RE: Kevin C. Petersen, M.D., Case No. 23-19611-1

Sensitivity: Normal

Attachments:

[Notice and Order Scheduling Early Case Conference.pdf](#) 

Good Afternoon All,

Please see attached **Notice and Order Scheduling Early Case Conference**, filed October 2, 2023. Please let me know if you have any trouble opening attached.

Respectfully,

Mercedes Fuentes

Legal Assistant to:

Sarah A. Bradley, J.D., MBA, Deputy Executive Director

Brandee Mooneyhan, Deputy General Counsel

William P. Shogren, Deputy General Counsel

NEVADA STATE BOARD OF MEDICAL EXAMINERS

9600 Gateway Drive, Reno, NV 89521

Tel: (775) 324-9380

Fax: (775) 688-2321

fuentesm@medboard.nv.gov



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From: Tiffany Rushing <tiffany@woodmanlawgroup.com>

Sent: Monday, October 2, 2023 10:57 AM

To: William Shogren <shogrenw@medboard.nv.gov>

Cc: Mercedes Fuentes <fuentesm@medboard.nv.gov>; Charles Woodman <hardywoodmanlaw@msn.com>;

kevincpetersen@gmail.com

Subject: Re: Hearing Officer Appointment - RE: Kevin C. Petersen, M.D., Case No. 23-19611-1

EXHIBIT 21

EXHIBIT 21

Archived: Friday, October 13, 2023 11:31:41 AM

From: [Mercedes Fuentes](#)

Sent: Friday, October 13, 2023 11:31:00 AM

To: [Tiffany Rushing](#); [Charles Woodman](#); [REDACTED]

Cc: [William Shogren](#)

Subject: Notice and Order Scheduling Pre-Hearing and Hearing - Kevin C. Petersen, M.D., Case No. 23-19611-1

Sensitivity: Normal

Attachments:

[Notice and Order Scheduling Pre-Hearing and Hearing.pdf](#) 

Good Morning All,

Please see attached **Notice and Order Scheduling Pre-Hearing and Hearing**, filed October 12, 2023. Please let me know if you have any trouble opening attached.

Respectfully,

Respectfully,

Mercedes Fuentes

Legal Assistant to:

Sarah A. Bradley, J.D., MBA, Deputy Executive Director

Brandee Mooneyhan, Deputy General Counsel

William P. Shogren, Deputy General Counsel

NEVADA STATE BOARD OF MEDICAL EXAMINERS

9600 Gateway Drive, Reno, NV 89521

Tel: (775) 324-9380

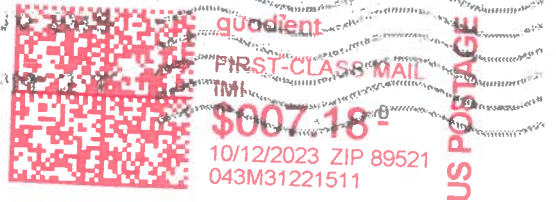
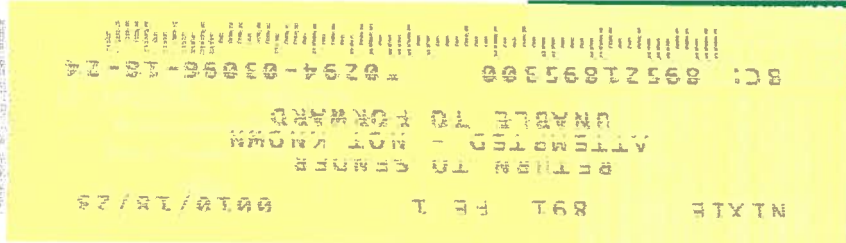
Fax: (775) 688-2321

fuentesm@medboard.nv.gov



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||



9171 9690 0935 0241 5574 45

RECEIVED

OCT 23 2023

NEVADA STATE BOARD OF MEDICAL EXAMINERS

ELECTRONIC RETURN RECEIPT REQUESTED

KEVIN C. PETERSEN, M.D.
653 North Town Center, Suite 314
Las Vegas, NV 89144

ELECTRONIC RETURN RECEIPT REQUESTED

89144\$0517



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

FILED

OCT 12 2023

NEVADA STATE BOARD OF MEDICAL EXAMINERS
By: _____

In the Matter of Charges and
Complaint Against
KEVIN C. PETERSEN, M.D.,
Respondent.

CASE NO.: 23-19611-1

NOTICE AND ORDER SCHEDULING PRE-HEARING AND HEARING

**TO: WILLIAM P. SHROGREN, J.D., DEPUTY GENERAL COUNSEL AND
ATTORNEY FOR THE INVESTIGATIVE COMMITTEE OF THE
NEVADA STATE BOARD OF MEDICAL EXAMINERS
9600 GATEWAY DRIVE
RENO, NV 89521**

**KEVIN C. PETERSEN, M.D.
653 NORTH TOWN CENTER, SUITE 314
LAS VEGAS, NV 89144**

On Thursday, October 5, 2023, a telephonic Early Case Conference was conducted in this matter. William P. Shrogren, Esq. was present on behalf of the Investigative Committee in the conference room of the Nevada State Board of Medical Examiners. Dr. Petersen did not appear despite receiving proper notice at the address he has listed with the Board, nor did any counsel appear on his behalf. The undersigned Hearing Officer appeared telephonically. Formal dates

NSBME 051

5

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 KEVIN C. PETERSEN, M.D.,)
7 Respondent.)

CASE NO.: 23-19611-1

Early Case Conference: 10:00 A.M.
Thursday, October 5, 2023

FILED

OCT - 2 2023

NEVADA STATE BOARD OF
MEDICAL EXAMINERS

By: 

10 **NOTICE AND ORDER SCHEDULING EARLY CASE CONFERENCE**

11 TO: WILLIAM P. SHROGREN, J.D., Deputy General Counsel and Attorney for the
12 Investigative Committee of the Nevada State Board of Medical Examiners;

13 KEVIN C. PETERSEN, M.D.

14 NOTICE IS HEREBY GIVEN that on June 16, 2023, a Complaint was filed in the
15 name of the Investigative Committee of the Nevada State Board of Medical Examiners pursuant
16 to Chapter 630 of the Nevada Revised Statutes, charging Respondent with violation of the
17 Medical Practice Act. A true and correct copy of said Complaint was unable to be served upon
18 Respondent. Therefore, the Complaint was published pursuant to NRS 630.355(1).

19 ACCORDINGLY, NOTICE IS HEREBY GIVEN that in compliance with NRS
20 630.339(3),¹ **an Early Case Conference will be conducted on Thursday, October 5, 2023,**
21 **beginning at 10:00 A.M.,** in the Conference Room at the Office of the Nevada State Board of

22 ¹3. Within 20 days after the filing of the answer, the parties shall hold an early case conference at which the
23 parties and the hearing officer appointed by the Board or a member of the Board must preside. At the early case
24 conference, the parties shall in good faith:

25 a) Set the earliest possible hearing date agreeable to the parties and the hearing officer, panel of the Board
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;

(c) Discuss or attempt to resolve all or any portion of the evidentiary or legal issues in the matter;

(d) Discuss the potential for settlement of the matter on terms agreeable to the parties; and

(e) Discuss and deliberate any other issues that may facilitate the timely and fair conduct of the matter.

1 Medical Examiners, located at 9600 Gateway Drive, Reno, Nevada 89521, or as soon thereafter
2 as it may be heard.

3 **NOTICE IS FURTHER HEREBY GIVEN** that the Early Case Conference shall be
4 attended by the parties in person or by any party's legal counsel of record and will be conducted
5 by the undersigned Hearing Officer in order to discuss and designate the dates for the Pre-
6 Hearing Conference and Hearing, and other procedural matters established in NRS 630.339.
7 Respondent will participate in the Early Case Conference by telephone via arrangements with the
8 Deputy General Counsel for the Investigative Committee of the Nevada State Board of Medical
9 Examiners.²

10 At the Pre-Hearing Conference, in accordance with NAC 630.465³, each party shall
11 provide the other party with a copy of the list of witnesses each party intends to call to testify,
12 including therewith, the qualifications of each witness so identified, and a summary of the
13 testimony of each witness. If a witness is not on the list of witnesses, that witness may not be
14 allowed to testify at the hearing unless good cause is shown for omitting the witness from said
15 list.⁴

16 All evidence, except rebuttal evidence, which is not provided to each party at the Pre-
17

18 ² It is anticipated that Respondent will attend via phone from the Nevada State Prison.

19 ³1. At least 30 days before a hearing but not earlier than 30 days after the date of service upon the physician
20 or physician assistant of a formal complaint that has been filed with the Board pursuant to NRS 630.311, unless a
21 different time is agreed to by the parties, the presiding member of the Board or panel of members of the Board or the
22 hearing officer shall conduct a prehearing conference with the parties and their attorneys. All documents presented
23 at the prehearing conference are not evidence, are not part of the record and may not be filed with the Board.

22 2. Each party shall provide to every other party a copy of the list of proposed witnesses and their
23 qualifications and a summary of the testimony of each proposed witness. A witness whose name does not appear on
24 the list of proposed witnesses may not testify at the hearing unless good cause is shown.

23 3. All evidence, except rebuttal evidence, which is not provided to each party at the prehearing conference
24 may not be introduced or admitted at the hearing unless good cause is shown.

24 4. Each party shall submit to the presiding member of the Board or panel or to the hearing officer
25 conducting the conference each issue which has been resolved by negotiation or stipulation and an estimate, to the
26 nearest hour, of the time required for presentation of its oral argument.

26 ⁴ 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 Hearing Conference may not be introduced or admitted at the hearing unless good cause is
2 shown.

3 **NOTICE IS FURTHER HEREBY GIVEN** that the attorney for the Investigative
4 Committee and Respondent shall keep the undersigned Hearing Officer advised of each issue
5 which has been resolved by negotiation or stipulation, if any, and provide at the Pre-Hearing
6 Conference an estimate, to the nearest hour, of the time required for presentation of their
7 respective cases.

8 **NOTICE IS FINALLY HEREBY GIVEN** that the possible sanctions authorized by
9 NRS 630.352 and NRS 622.400 to be imposed on the Respondent based on a sustained charge in
10 regard to one or more of the issues raised in said Complaint include one or more of the following
11 sanctions:

- 12 A. Placement on probation for a specified period on any of the conditions specified in
13 the order;
- 14 B. Administration of a public reprimand;
- 15 C. Suspension of his license for a specified period or until further order of the Board;
- 16 D. Revocation of his license to practice;
- 17 E. A requirement that he participate in a program to correct alcohol or drug
18 dependence or any other impairment;
- 19 F. A requirement that there be specified supervision of his practice;
- 20 G. A requirement that he perform public service without compensation;
- 21 H. A requirement that he take a physical or mental examination or an examination
22 testing his medical competence;
- 23 I. A requirement that he fulfill certain training or educational requirements, or both,
24 as specified by the Board;
- 25 J. Imposition of a fine on you not to exceed \$5,000 for each violation;

24 ///

25 ///

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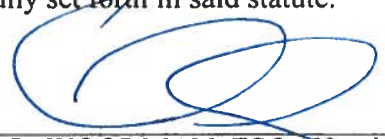
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K. A requirement that a practitioner licensed by the State Board of Medical Examiners, pursuant to NRS 622.400 pay all costs incurred by the Board relating to the disciplinary proceedings as more fully set forth in said statute.

DATED this 2 day of October, 2023.



CHARLES B. WOODMAN, ESQ., Hearing Officer
Nevada State Board of Medical Examiners
548 W. Plumb Lane, Suite B
Reno, Nevada 89509
(775) 786-9800



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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 NOTICE AND ORDER SCHEDULING EARLY CASE CONFERENCE addressed as follows:

WILLIAM P. SHROGEN, J.D.
Deputy General Counsel and Attorney for the Investigative Committee of the Nevada State Board of Medical Examiners
9600 Gateway Drive
Reno, Nevada 89521

KEVIN C. PETERSEN, M.D.

DATED this 2nd day of October, 2023.



Legal Assistant
Nevada State Board of Medical Examiners

AFFP
23-19611-1

FILED

OCT - 5 2023

NEVADA STATE BOARD OF
MEDICAL EXAMINERS

By: _____

Affidavit of Publication

STATE OF NEVADA }
COUNTY OF CLARK }

SS

NEVADA BOARD OF MEDICAL EXAMINERS

Case No. 23-19611-1

To: Kevin C. Petersen, M.D., Respondent

You are hereby notified that the Investigative Committee of the Nevada State Board of Medical Examiners filed a formal complaint against you alleging violations of Nevada Revised Statutes (NRS) Chapter 630 and Nevada Administrative Code (NAC) Chapter 630 (collectively, the Medical Practice Act). The Complaint was mailed via USPS e-certified return receipt mail to you at your address of record with the Board: 653 North Town Center, Suite 314, Las Vegas, Nevada 89144. The Complaint was returned to the Board as undeliverable. Personal service was also attempted to your address of record with the Board, to no avail. You are further notified that you may be subject to sanctions enunciated in NRS 630.352, which includes the potential for revocation of your license to practice medicine in the state of Nevada. In accord with NRS 630.344, if this Complaint cannot be served on Respondent personally, or by registered or certified mail with return receipt requested addressed to the Respondent at his last known address set forth above, and if said notice by mail is returned undelivered, the Board shall cause notice to be published once a week for four consecutive weeks in a newspaper published in Clark County, Nevada. Proof of such service or publication of notice must be filed with the Board. Dated this 18th day of July, 2023 Signed: William P. Shogren, Deputy General Counsel and Attorney for the Investigative Committee of The Nevada State Board of Medical Examiners
Published in Nevada Legal News
July 25, August 1, 8, 15, 22, 2023

I, Scott Sibley state:

That I am Publisher of the Nevada Legal News, a daily newspaper of general circulation, printed and published in Las Vegas, Clark County, Nevada; that the publication, a copy of which is attached hereto, was published in the said newspaper on the following dates:

Jul 25, 2023
Aug 01, 2023
Aug 08, 2023
Aug 15, 2023
Aug 22, 2023

That said newspaper was regularly issued and circulated on those dates. I declare under penalty of perjury that the foregoing is true and correct.

DATED: Aug 22, 2023



Scott Sibley

04118152 00526828

NEVADA STATE BOARD OF MEDICAL
EXAMINERS
9600 GATEWAY DRIVE
RENO, NV 89521

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

FILED

OCT 12 2023

NEVADA STATE BOARD OF
MEDICAL EXAMINERS

By: _____

3
4 In the Matter of Charges and)
5 Complaint Against)
6 KEVIN C. PETERSEN, M.D.,)
7 Respondent.)
8

CASE NO.: 23-19611-1

9 **NOTICE AND ORDER SCHEDULING PRE-HEARING AND HEARING**

10 TO: WILLIAM P. SHROGREN, J.D., DEPUTY GENERAL COUNSEL AND
11 ATTORNEY FOR THE INVESTIGATIVE COMMITTEE OF THE
12 NEVADA STATE BOARD OF MEDICAL EXAMINERS
13 9600 GATEWAY DRIVE
14 RENO, NV 89521

15 KEVIN C. PETERSEN, M.D.
16 653 NORTH TOWN CENTER, SUITE 314
17 LAS VEGAS, NV 89144

18 On Thursday, October 5, 2023, a telephonic Early Case Conference was conducted in this
19 matter. William P. Shrogren, Esq. was present on behalf of the Investigative Committee in the
20 conference room of the Nevada State Board of Medical Examiners. Dr. Petersen did not appear
21 despite receiving proper notice at the address he has listed with the Board, nor did any counsel
22 appear on his behalf. The undersigned Hearing Officer appeared telephonically. Formal dates
23 were set for the pre-hearing conference, exchange of documents, and the hearing date.

24 Accordingly, in compliance with NAC 630.465, a **pre-hearing conference will be**
25 **conducted on Tuesday, December 5, 2023, beginning at the hour of 2:00 P.M., Pacific**
26 **Standard Time, in the conference room at the Office of the Nevada State Board of Medical**
27 **Examiners, 9600 Gateway Drive, Reno, Nevada 89521. The conference, to be attended by the**
28 **parties in person or by counsel,¹ will be conducted before the undersigned hearing officer to**

¹Respondent or Respondent's counsel may participate in the pre-hearing conference by telephone if prior arrangements are made with counsel for the Investigative Committee.

1 assure that all written information and documentation to be presented by the parties at the formal
2 hearing is fully and completely exchanged.

3 At the pre-hearing conference each party is to provide the other party with a copy of the
4 list of witnesses they intend to call to testify, including their qualifications, as well as a brief
5 summary of their anticipated testimony. If a witness is not included in the list of witnesses, that
6 witness may not be allowed to testify at the hearing unless good cause is shown.

7 **The formal hearing in this matter is hereby scheduled for Friday, January 5, 2024,**
8 **commencing at 9:00 A.M.,** at the Office of the Nevada State Board of Medical Examiners, 9600
9 Gateway Drive, Reno, Nevada 89521. Respondent must be present at the hearing in person.
10 Following the hearing, the hearing officer will submit to the Board a synopsis of the testimony
11 taken at the hearing and make a recommendation on the veracity of witnesses if there is
12 conflicting evidence or if credibility of witnesses is a determining factor, and thereafter the Board
13 will render its decision. **NAC 630.470.**

14 Any other hearings previously set in this matter which conflict with the hearing schedule
15 set out herein are vacated.

16 It is further ordered that legal counsel for the Investigative Committee and Respondent or
17 Respondent's counsel shall keep this hearing officer advised of each issue which has been
18 resolved by negotiation or stipulation, or any other change in the status of this case.

19 DATED this 11 day of October, 2023



21 CHARLES B. WOODMAN, ESQ., Hearing Officer
22 Nevada State Board of Medical Examiners
23 548 W. Plumb Lane, Suite B
24 Reno, Nevada 89509
25 (775) 786-9800
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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:

WILLIAM P. SHROGEN, J.D.
Deputy General Counsel and Attorney for the Investigative Committee of the Nevada State Board of Medical Examiners
9600 Gateway Drive
Reno, Nevada 89521

KEVIN C. PETERSEN, M.D.
653 North Town Center, Suite 314
Las Vegas, NV 89144

9171 9690 0935 0241 5574 45

DATED this 12th day of October, 2023.



Legal Assistant
Nevada State Board of Medical Examiners

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

3 * * * * *

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

Case No. 23-19611-1

6 **Against:**

FILED

7 **KEVIN C. PETERSEN, M.D.,**

DEC 04 2023

8 **Respondent.**

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 (IC) of the Nevada State Board of Medical Examiners
13 (Board) submits the following Prehearing Conference Statement in accordance with
14 NAC 630.465 and the Hearing Officer's Scheduling Order filed on October 12, 2023.

15 **I. LIST OF WITNESSES**

16 The IC of the Board lists the following witnesses whom it may call at the hearing on the
17 charges in the Complaint against Respondent filed herein:

- 18 a. Alexis Kent, Investigator
19 Nevada State Board of Medical Examiners
20 9600 Gateway Drive
21 Reno, NV 89521

22 Ms. Kent, or her designee, is expected to verify documentary evidence obtained during the
23 investigation of this case and testify regarding the investigation of this matter.

- 24 b. Johnna S. LaRue, Investigator
25 Nevada State Board of Medical Examiners
26 9600 Gateway Drive
27 Reno, NV 89521

28 Ms. LaRue, or her designee, is expected to verify documentary evidence obtained during
the investigation of this case and testify regarding the investigation of this matter.

///

1 b. Kevin C. Petersen, M.D.
2 653 North Town Center, Suite 314
3 Las Vegas, NV 89144

4 Dr. Petersen is expected to testify regarding the facts and circumstances surrounding the
5 formal Complaint in this matter.

6 c. All witnesses identified by Respondent in his prehearing conference statement
7 and/or in any subsequent amended, revised, or supplemental prehearing conference statement, or
8 list of witnesses disclosed by Respondent of persons he may call to testify at the hearing herein.

9 The IC reserves the right to amend and supplement this list as required for prosecution of
10 this case.

11 **II. LIST OF EXHIBITS**

12 The IC of the Board lists the following exhibits that it may introduce at the hearing on the
13 charges and formal Complaint against the Respondent. Additionally, the IC of the Board reserves
14 the right to rely on all exhibits listed in Respondent’s prehearing conference statement and any
15 supplement and/or amendment thereof.

16 EXHIBIT 17 NO.	18 DESCRIPTION	19 BATES 20 RANGE 21 (NSBME)
22 1	23 Complaint and Certificate of Service, Dated June 16, 24 2023	25 001-011
26 2	27 Allegation Letter to Respondent, Dated July 11, 2022	28 012-013
3	Order to Produce Health Care Records, Dated July 11, 2022	014-015
4	Second Request Letter to Respondent, Dated August 22, 2022	016
5	Order to Produce Health Care Records, Dated August 22, 2022	017-018
6	Allegation Letter to Respondent, Dated July 27, 2022	019-021
7	Order to Produce Health Care Records, Dated July 27, 2022	022-023
8	Second Request Letter to Respondent, Dated November 17, 2022	024

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EXHIBIT NO.	DESCRIPTION	BATES RANGE (NSBME)
9	Allegation Letter to Respondent, Dated November 16, 2022	025-026
10	Order to Produce Health Care Records, Dated November 16, 2022	027-028
11	Second Request Letter to Respondent, Dated December 16, 2022	029
12	Emails from Respondent to Investigators, Dated September 25, 2022, and December 7, 2022	030-031
13	Order for Examination, Dated February 21, 2023	032-034
14	Order for Examination, Dated March 8, 2023	035-037
15	Order for Appearance, Dated February 22, 2023	038-039
16	Email from Investigator to Respondent, Dated February 22, 2023	040-041
17	Certified Mail Receipt and Returned Envelopes to Respondent from Investigations	042-044
18	Email from Mark Chase to Investigator, Dated April 11, 2023	045-046
19	Affidavit of Publication of Complaint, Dated August 22, 2023	047
20	IC's Service Attempts for Notice and Order Scheduling Early Case Conference	048-049
21	IC's Service Attempts for Notice and Order Scheduling Pre-Hearing and Hearing	050-051

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The IC reserves the right to use any exhibits relied upon or identified by Respondent and reserves the right to amend and supplement this list of exhibits as required.

DATED this 4th day of December, 2023.

INVESTIGATIVE COMMITTEE OF THE
NEVADA STATE BOARD OF MEDICAL EXAMINERS

By: 
WILLIAM P. SHOGREN
Deputy General Counsel
9600 Gateway Drive
Reno, NV 89521
Tel: (775) 688-2559
Email: wshogren@medboard.nv.gov
Attorney for the Investigative Committee

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CERTIFICATE OF SERVICE

I hereby certify that I am employed by the Nevada State Board of Medical Examiners and that on the 4th day of December, 2023, I served a file-stamped copy of the foregoing **PREHEARING CONFERENCE STATEMENT OF THE INVESTIGATIVE COMMITTEE OF THE NEVADA STATE BOARD OF MEDICAL EXAMINERS** as well as Exhibits 1-21 via FedEx First Overnight, postage pre-paid, to the following parties:


KEVIN C. PETERSEN, M.D.
653 North Town Center, Suite 314
Las Vegas, NV 89144
Respondent

Tracking No.: 7743 4319 1904

CHARLES B. WOODMAN, ESQ.
548 W. Plumb Lane, Suite B
Reno, NV 89501
Hearing Officer

Tracking No.: 7743 4325 0138

DATED this 4th day of December, 2023.



MERCEDES FUENTES
Legal Assistant
Nevada State Board of Medical Examiners