

NEVADA STATE BOARD OF MEDICAL EXAMINERS



IN THE MATTER OF CHARGES AND COMPLAINT AGAINST

JON LANE SIEMS, M.D.

ADJUDICATION

Case No: 24-13009-1

Date: September 12, 2025

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BEFORE THE BOARD OF MEDICAL EXAMINERS
OF THE STATE OF NEVADA

* * * * *

In the Matter of Charges and Complaint

Case No. 24-13009-1

Against:

FILED

JON LANE SIEMS, M.D.,

OCT 08 2024

Respondent.

NEVADA STATE BOARD OF
MEDICAL EXAMINERS

By: *Wade*

COMPLAINT

The Investigative Committee¹ (IC) of the Nevada State Board of Medical Examiners (Board), by and through Donald K. White, Senior Deputy General Counsel and attorney for the IC, having a reasonable basis to believe that Jon Lane Siems, M.D. (Respondent) violated the provisions of Nevada Revised Statutes (NRS) Chapter 630 and Nevada Administrative Code (NAC) Chapter 630 (collectively, the Medical Practice Act), hereby issues its Complaint, stating the IC's charges and allegations as follows:

The IC alleges the following facts:

1. Respondent is currently, and was at all times relevant to this Complaint, licensed in active-probation status (License No. 9250). Respondent was issued his license from the Board on December 20, 1999, pursuant to the provisions of NRS Chapter 630.

2. On December 19, 2023, Case No. 23-13009-1 came before the Board during a regularly scheduled Board Meeting and was adjudicated by the Board. The Board found that Respondent had violated a Board Order and issued its Findings of Fact, Conclusions of Law and Order, attached hereto as **Exhibit 1**.

3. In a letter dated December 19, 2023, Johnna LaRue, Deputy Chief of Investigations and Compliance Officer for the Board, in normal course mailed a letter via first class mail with

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 Bret W. Frey, M.D., Carl N. Williams, Jr., M.D., and Col. Eric D. Wade (USAF (Ret.)).

1 return receipt required, postage prepaid to Respondent which provided explicit instructions
2 regarding his specific requirements and the deadlines to achieve compliance with the Board-
3 approved Settlement Agreement.

4 4. The Findings of Fact, Conclusions of Law and Order, as well as Ms. LaRue's letter
5 clearly stated that Respondent had six (6) months to complete the Physician Assessment and Clinical
6 Education Program at the University of San Diego School of Medicine (PACE) or a substantially
7 similar program. Additionally, the Board stated that Respondent shall reimburse the Board the
8 necessary costs and expenses actually incurred in the investigation and prosecution of the case in
9 the amount of seven thousand four hundred and ninety-nine dollars and twenty cents (\$7,499.20)
10 within six (6) months of service of the Findings of Fact, Conclusions of Law and Order.

11 5. Respondent did not reimburse the Board for the expenses as Ordered. At this time,
12 the Board has still not received his payment for costs and expenses in the amount of seven thousand
13 four hundred and ninety-nine dollars and twenty cents (\$7,499.20) which is beyond the time limit
14 provided in the Order, June 1, 2024.

15 **COUNT I**

16 **NRS 630.3065(2)(a) - Knowing or Willful Failure to Comply with a Board Order**

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

19 7. NRS 630.3065(2)(a) provides that the knowing or willful failure to comply with an
20 order of the Board constitutes grounds for initiating disciplinary action.

21 8. Respondent knowingly or willfully failed to comply with an order of the Board when
22 he failed to pay the costs and expenses due in the amount of seven thousand four hundred and
23 ninety-nine dollars and twenty cents (\$7,499.20) by June 1, 2024.

24 9. Additionally, the Findings of Fact, Conclusions of Law and Order clearly states that
25 Respondent was to reimburse the Board in the amount of seven thousand four hundred and ninety-
26 nine dollars and twenty cents (\$7,499.20) within six (6) months of the receipt of the Order or
27 June 1, 2024.

28 ///

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

WHEREFORE, the Investigative Committee prays:

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

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

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

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

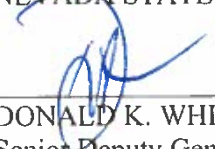
5. That the Board make, issue and serve on Respondent its findings of fact, conclusions of law and order, in writing, that includes the sanctions imposed; and

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

DATED this 8th day of October, 2024.

INVESTIGATIVE COMMITTEE OF THE
NEVADA STATE BOARD OF MEDICAL EXAMINERS

By:


DONALD K. WHITE
Senior Deputy General Counsel
9600 Gateway Drive
Reno, NV 89521
Tel: (775) 688-2559
Email: dwhite@medboard.nv.gov
Attorney for the Investigative Committee

VERIFICATION

STATE OF NEVADA)
 : ss.
COUNTY OF WASHOE)

Bret W. Frey, M.D., having been duly sworn, hereby deposes and states under penalty of perjury that he is the Chairman of the Investigative Committee of the Nevada State Board of Medical Examiners that authorized the Complaint against the Respondent herein; that he has read the foregoing Complaint; and that based upon information discovered in the course of the investigation into a complaint against Respondent, he believes that the allegations and charges in the foregoing Complaint against Respondent are true, accurate and correct.

DATED this 8th day of October, 2024.

INVESTIGATIVE COMMITTEE OF THE
NEVADA STATE BOARD OF MEDICAL EXAMINERS

By:


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

EXHIBIT 1

EXHIBIT 1

BEFORE THE BOARD OF MEDICAL EXAMINERS
OF THE STATE OF NEVADA

* * * * *

In the Matter of Charges and Complaint
Against
JON LANE SIEMS, M.D.,
Respondent.

Case No. 23-13009-1

FILED

DEC 19 2023

NEVADA STATE BOARD OF
MEDICAL EXAMINERS
By: _____

FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER

This case was presented for adjudication and decision before the Nevada State Board of Medical Examiners (Board), during a regularly scheduled Board meeting on December 1, 2023, at 8:40 a.m., (Pacific Standard Time), located at 325 E. Warm Springs Road, Suite 225, Las Vegas, NV 89119, video conferenced to 9600 Gateway Drive, Reno, NV 89521. Jon Lane Siems, M.D., (Respondent), was properly served with a notice of the adjudication, including the date, time and location, and was present and not represented by counsel. The adjudicating members of the Board participating in these Findings of Fact, Conclusions of Law, and Order (FOFCOL) were: Nick M. Spirtos M.D., F.A.C.O.G., Ms. Maggie Arias-Petrel, Ms. Pamela Beal, Irwin B. Simon, M.D., FACS, Joseph Olivarez, P.A.-C, and Jason B. Farnsworth, RRT, MBA. Chricy E. Harris, Esq., Deputy Attorney General, served as legal counsel to the Board.

The Board, having received and read the Complaint and exhibits admitted at the hearing of this matter, the Hearing Officer's Findings and Recommendations¹, and the transcript of the hearing, made its decision pursuant to its authority and provisions of the Nevada Revised Statutes (NRS) Chapter 630 and Nevada Administrative Code (NAC) Chapter 630 (collectively, the Medical Practice Act), NRS Chapter 622A, and NRS Chapter 233B, as applicable.

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¹ The Hearing Officer's Findings and Recommendations were prepared by Charles Woodman, Esq., who was appointed as Hearing Officer under NRS 630.106 in this matter and presided over the hearing.

1 The Board, after due consideration of the record, evidence, and law, and being fully
2 advised in the premises, makes its FINDINGS OF FACT, CONCLUSIONS OF LAW, AND
3 ORDER in this matter, as follows:

4 **FINDINGS OF FACT**

5 **I.**

6 Respondent held an Active-Probation license to practice medicine in the State of Nevada
7 issued by the Board from December 3, 2021, until December 27, 2022. An Order for Summary
8 Suspension of Respondent's license was filed on December 27, 2022, served on December 27,
9 2022, which immediately suspended Respondent's license until a show cause hearing could be
10 held to determine if his medical license would be reinstated during the regular hearing process.
11 On February 2, 2023, a show cause hearing was held at the office of the Nevada State Board of
12 Medical Examiners and the Hearing Officer entered his order during the hearing that continued
13 the suspension of Respondent's medical license throughout the hearing process.

14 **II.**

15 On January 30, 2022, the Investigative Committee filed its formal Complaint in
16 Case No. 23-13009-1, alleging Respondent violated the Medical Practice Act. Respondent was
17 personally served with the Complaint by a USPS Certified mail on March 3, 2023. The Complaint
18 alleges as follows: Count I, a violation of NRS 630.3065(2)(a) Knowing or Willful Failure to
19 Comply with a Board Order.

20 Respondent did not answer or file a response to the allegations set forth in the Complaint.
21 Pursuant to NAC 630.460(4), the allegations of the Complaint are deemed generally denied if an
22 answer is not filed.

23 **III.**

24 An Early Case Conference was held at the conclusion of the show cause hearing.
25 Donald K. White, Senior Deputy General Counsel was present on behalf of the Investigative
26 Committee (IC) of the Board, with Hearing Officer Charles Woodman, Esq., Respondent
27 participated in the Early Case Conference and show cause hearing but was not represented by an
28 attorney.

1 In compliance with NAC 630.465 an Order After Prehearing and Order Confirming
2 Hearing Date was filed March 1, 2023, setting dates for the formal hearing calendared to
3 commence on April 13, 2023, at the Office of the Nevada State Board of Medical Examiners,
4 9600 Gateway Drive, Reno, Nevada 89521 video conferenced to the Board's Las Vegas Office,
5 located at 325 E. Warm Springs Road, Suite 225, Las Vegas, NV 89119. All documents intended
6 to be introduced as evidence in the case were to be exchanged on or before March 13, 2023.
7 Respondent was served this Order via USPS Certified Mail on March 6, 2023, at his address of
8 record.

9 IV.

10 On April 13, 2023, as duly noticed and ordered, a hearing was held before the Hearing
11 Officer to receive evidence and to hear arguments of both parties. Legal counsel for the
12 Investigative Committee, Donald K. White, Senior Deputy General Counsel appeared, along with
13 Respondent, without legal counsel, and Hearing Officer Charles Woodman, Esq. Mr. White
14 presented the IC's case, offered documentary evidence, and presented witness testimony. Exhibits
15 one (1) through (4) from the IC and several of Respondent's exhibits, were marked and admitted
16 into evidence.

17 The Hearing Officer provided the Synopsis and Analysis of Record, filed May 9, 2023.
18 This matter was scheduled for final adjudication on December 1, 2023, at a regularly scheduled
19 Board meeting.

20 The notice of the adjudication was sent via USPS Certified Mail on October 30, 2023, and
21 was delivered to Respondent on November 3, 2023, at 10:14 a.m.

22 A copy of the adjudication materials along with a copy of the Hearing Officer's Synopsis
23 and Analysis of Record were mailed via Fed Ex 2-Day and were delivered to Respondent's
24 address of record on November 10, 2023.

25 V.

26 Pursuant to NRS 622A.300(5)(a), the Findings and Recommendations of the Hearing
27 Officer are hereby approved by the Board in their entirety, with modification to the discipline, and

28 ///

1 are hereby specifically incorporated and made part of this Order by reference and are attached
2 hereto as **Exhibit 1**.

3 **VI.**

4 In accordance with the Synopsis and Analysis of Record, the Board hereby finds that the
5 count set forth in the Complaint, and as recapitulated in Paragraph II above, have been established
6 by a preponderance of the evidence.

7 **VII.**

8 If any of the foregoing Findings of Fact is more properly deemed a Conclusion of Law, it
9 may be so construed.

10 **CONCLUSIONS OF LAW**

11 **I.**

12 The Board has jurisdiction over Respondent and the Complaint, and an adjudication of this
13 matter by the Board members as set forth herein is proper.

14 **II.**

15 Respondent was timely and properly served with the Complaint, and all notices and orders
16 in advance of the hearing and adjudication thereon, in accordance with NRS and NAC
17 Chapters 630, NRS Chapters 241, 622A and 233B, and all legal requirements of due process.

18 **III.**

19 With respect to the allegations of the Complaint, the Board concludes that Respondent has
20 violated NRS 630.3065(2)(a) Knowing or Willful Failure to comply with a Board Order, as
21 alleged in Count I. Accordingly, Respondent is subject to discipline pursuant to NRS 630.352.

22 **IV.**

23 The Board finds that, pursuant to NRS 622.400, recovery from Respondent of reasonable
24 attorneys' fees and costs incurred by the Board as part of its investigation and disciplinary
25 proceedings against Respondent is appropriate. The Board has reviewed the Investigative
26 Committee's Memorandum of Costs and Disbursements and Attorneys' Fees, and the Board finds
27 them to be the actual fees and costs incurred by the Board as part of its investigative,
28 administrative and disciplinary proceedings against Respondent, and finds them to be reasonable,

1 necessary, and actually incurred based on: (1) the abilities, training, education, experience,
2 professional standing and skill demonstrated by Board staff and attorneys; (2) the character of the
3 work done, its difficulty, its intricacy, its importance, the time and skill required, the responsibility
4 imposed and the prominence and character of the parties where, as in this case, they affected the
5 importance of the litigation; (3) the work actually performed by the Board's attorneys and staff,
6 and the skill, time and attention given to that work; and (4) the product of the work and benefits to
7 the Board and the people of Nevada that were derived therefrom.

8 V.

9 If any of the foregoing Conclusions of Law is more properly deemed a Finding of Fact, it
10 may be so construed.

11 **ORDER**

12 Based upon the foregoing Findings of Fact and Conclusions of Law, and good cause
13 appearing therefore,

14 IT IS HEREBY ORDERED that:

15 1. Respondent has violated the Medical Practice Act, as alleged in the Complaint, as
16 follows: one (1) violation of NRS 630.3065(2)(a), Knowing or Willful Failure to comply with a
17 Board Order.

18 2. Pursuant to NRS 630.352(4)(e), the Board shall administer a written public
19 reprimand to Respondent.

20 3. Respondent's license shall be suspended for a period of one year, from
21 December 28, 2022, to December 27, 2023.² On December 28, 2023, Respondent's license status
22 shall be reinstated to an Active-Probation status.

23 4. Pursuant to NRS 630.352(4)(k), Respondent shall complete at the University of
24 San Diego Physician Assessment and Competency Evaluation Program (PACE), Competency
25 Assessment, or substantially similar assessment by another entity approved by the Board within
26 six (6) months of issuance of this Order. Any aforementioned hours of Continuing Medical
27

28 ² Pursuant to the Board's motion imposing discipline, the one-year suspension imposed upon Respondent
shall take into account the time he has been suspended since the Order of Summary Suspension, which was served
upon him on December 28, 2022.

1 Education received for attending the program that is substantially related to PACE shall be in
2 addition to the requirements that are regularly imposed upon Respondent as a condition of
3 licensure in the State of Nevada pursuant to NAC 630.153(1).

4 5. Respondent shall reimburse the Board the reasonable and necessary costs and
5 expenses actually incurred in the investigation and prosecution of this case in the amount of seven
6 thousand four hundred and ninety-nine dollars, and twenty cents (\$7,499.20) within six (6) months of
7 service of this Order. The Board, and/or its designee, are granted the authority to collect any and all
8 funds due under this Order.

9 6. Investigation Case Nos. 18-18146, 19-18953, 20-19625, 20-19679, 20-19736, 21-
10 20367, 22-21285, 22-21357, 23-22654, 23-22790, and 23-22844 shall be dismissed with prejudice.

11 IT IS SO ORDERED.

12 DATED this 19th day of December, 2023.

13 NEVADA STATE BOARD OF MEDICAL EXAMINERS

14 By:



15 NICK M. SPIRTOS, M.D., F.A.C.O.G.
16 *President of the Board*

CERTIFICATION

I certify that the foregoing is the full and true original **FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER** on file in the office of the Board of Medical Examiners in the matter of **JON LANE SIEMS, M.D.**, Case No. 23-13009-1.

I further certify that Nick M. Spirtos, M.D., F.A.C.O.G., is the President of the Nevada State Board of Medical Examiners and that full force and credit is due to his official acts as such; and that the signature to the foregoing ORDER is the signature of said Nick M. Spirtos, M.D., F.A.C.O.G.

IN WITNESS THEREOF, I have hereunto set my hand in my official capacity as Secretary-Treasurer of the Nevada State Board of Medical Examiners.

DATED this 19th day of December, 2023.

NEVADA STATE BOARD OF MEDICAL EXAMINERS

By: Maggie Arias-Petrel
MAGGIE ARIAS-PETREL
Secretary-Treasurer and Public Member of the Board

EXHIBIT 1

EXHIBIT 1

1 **BEFORE THE BOARD OF MEDICAL EXAMINERS**

2
3 **OF THE STATE OF NEVADA**

FILED

MAY - 9 2023

NEVADA STATE BOARD OF
MEDICAL EXAMINERS

By: _____

4
5
6 In the Matter of Charges and Complaint

Case No.: 23-13009-1

7 Against

(Case No.: 19-13009-2)

8 JON L. SIEMS, M.D.,

9 Respondent.

10
11 **SYNOPSIS AND ANALYSIS OF THE RECORD**

12 Hearing Officer Charles B. Woodman, having heard a formal pre-hearing
13 conference, as well as the formal Hearing of this matter, hereby presents the Nevada State
14 Board of Medical Examiners with his formal Analysis of this case. This Analysis is based
15 upon all evidence adduced at the formal Hearing, this Hearing Officer's findings of facts
16 and conclusions of law, which findings include the credibility of the witnesses who gave
17 evidence.

18 **RELEVANT BACKGROUND**

19 This is a combined case as shown in the caption, whereby the Investigative
20 Committee ("IC") of the Board of Medical Examiners of the State of Nevada ("Board")
21 alleged that Dr. Jon Lane Siems, M.D., ("Dr. Siems") failed to comply with the Settlement
22 Agreement he entered into as resolution to Board Case 19-13009-2. The final page of that
23 Settlement Agreement contains the Board's order mandating compliance with the
24 Agreement. A duly noticed formal hearing of the matter was held before the undersigned
25 Hearing Officer on April 13, 2023 at the Northern Nevada office of the Board in Reno.
26 Mr. Donald K. White, Esq., Senior Deputy General Counsel appeared on behalf of the
27 Board's IC. Dr. Siems appeared via videoconference from the Board's Southern Nevada
28 office representing himself in pro se. The matter was duly recorded by a licensed reporter
and is a matter of public record.

1 The formal Complaint in Board Case 23-13009-1 alleges a single count of
2 Knowing or Willful Failure to Comply with a Board Order, a violation of NRS
3 630.3065(2)(a), which states that:

4 The following acts, among others, constitute grounds for initiating disciplinary
5 action or denying licensure:

6 * * *

7 2. Except as otherwise provided in NRS 630.2672, knowingly or willfully
8 failing to comply with:

9 (a) A regulation, subpoena or order of the Board or a committee designated
10 by the Board to investigate a complaint against a physician;

11 More specifically, the IC alleges at paragraphs 8-9 of the Complaint that:

12 8. Respondent [Dr. Siems] knowingly or willfully failed to comply with
13 an order of the Board when he failed to complete 20 hours of CMEs or the PACE
14 Program by or within the deadline he agree to with the Board [in Case 19-13009-
15 2].

16 9. Additionally, the Settlement Agreement [in Case 19-13009-2] that
17 Respondent signed and was subsequently approved by the Board clearly states
18 that Respondent agreed to be placed on stayed suspension and that if he violated
19 any terms of the agreement that the IC shall be authorized to immediately suspend
20 Respondent's license to practice medicine in Nevada pending an Order to Show
21 Cause hearing.

22 Accordingly, the two cases are inextricably linked inasmuch as Dr. Siems' alleged
23 violation of the Order at the final page of the Settlement Agreement entered into in Case
24 19-13009-2 makes up the entirety of the basis for Case 23-13009-1. Further, it appears
25 that the Board may determine to take formal action in both such cases.

26 At commencement of the formal Hearing of this matter, Dr. Siems was again
27 advised of his right to be represented by counsel, as this Hearing Officer has so advised
28 him in prior proceedings. The Hearing proceeded with Dr. Siems electing to represent
himself. See Transcript at page 5 ("T.5").

It is noted very significantly here that the Board has already determined that Dr.
Siems "willfully and knowingly violated his Settlement Agreement" via the Board's Order
of Suspension And Notice of Hearing filed December 27, 2022. That Order was issued
summarily based on evidence proffered by the IC. A duly noticed formal Order to Show

1 Cause hearing to determine whether that summary suspension should continue was heard
2 before the undersigned on February 2, 2023, with Dr. Siems in attendance, also
3 representing himself at that time. After that hearing and in light of evidence provided by
4 the IC and by Dr. Siems, this Hearing Officer confirmed the suspension pending further
5 decisions by the Board and pending adjudication of the new complaint in Case 23-13009-
6 1. The April 13 hearing was held to formally adjudicate Case 23-13009-1. At the hearing,
7 the IC's burden was to prove by a preponderance of the evidence that Dr. Siems committed
8 the violation alleged in the Complaint in Case 23-13009-1, i.e. that he knowingly or
9 willingly failed to comply with the Board's order confirming his Settlement Agreement.

10 THE EVIDENCE

11 The evidence adduced at the April 13 hearing is summarized as follows (bold and
12 italics are inserted by the Hearing Officer):

13 The IC's Deputy Chief of Investigations and Compliance Officer Johnna LaRue
14 testified that:

15 Following the Board's approval of the Settlement Agreement entered into between
16 Dr. Siems and the IC, Ms. LaRue mailed notice of the Board's decision to Dr. Siems' then
17 counsel on December 14, 2021. T.15-17;

18 Ms. LaRue's letter, including a copy of the Settlement Agreement, disclosed the
19 specific requirements with which Dr. Siems would have to comply to meet his obligations
20 under the Settlement Agreement, and the fact that he would have one year from the date of
21 the Board hearing to so comply, which would allow Dr. Siems until December 3, 2022 to
22 meet all the conditions outlined in the Settlement Agreement, and required by the Board's
23 Order thereon. T.18-20;

24 Receipt of Ms. LaRue's letter containing the Settlement Agreement and Board
25 Order by Dr. Siems' then counsel¹ was confirmed via documentary evidence showing that
26 it was received on December 18, 2021. T.21-22, 26, IC Exhibit 4;

27
28 ¹ As noted, Dr. Siems was not represented by counsel at the formal Hearing in Case 19-
13009-2. However, he retained counsel after the Hearing which culminated in execution
of the Settlement Agreement.

1 Dr. Siems and his counsel both signed the Settlement Agreement. T.28;
2 Via a November 18, 2022 email to the IC's counsel Mr. White, Dr. Siems' counsel
3 advised Mr. White that he was no longer representing Dr. Siems. T.29-30;

4 At no time did Dr. Siems' counsel or any other person ever contact Ms. LaRue or
5 anyone else at the Board to request an extension of time for Dr. Siems to complete his
6 requirements under the Settlement Agreement. T.31-33;

7 Extensions of time to comply with settlement agreement conditions are routinely
8 given under reasonable circumstances. T.33-34;

9 Dr. Siems did not complete all his CMEs required by the Settlement Agreement
10 within the mandated one-year period, nor did he complete the PACE program. T.34-35.
11 Rather, the last required CMEs were completed within a few days following the February
12 2, 2023 hearing on the license suspension, (which would have been approximately two
13 months late) . T.35;

14 Dr. Siems pressed Ms. LaRue on whether the Board should have required him (Dr.
15 Siems) to complete the PACE program when he discovered that the program could not
16 accommodate him. However, Ms. LaRue responded by saying that the Board would have
17 amended the Settlement Agreement had Dr. Siems contacted the Board within the one-year
18 period to advise that PACE could not accommodate him. T.38-43;

19 In response to Dr. Siems raising the issue of possibly not receiving a copy of the
20 Settlement Agreement from his counsel, Ms. LaRue advised that she had worked a number
21 of times in the past with the same attorney who represented Dr. Siems, and she has never
22 had any issues with practitioners not receiving documents from that attorney. T.45-46;

23 Had the IC known at any time prior to expiration of his one-year timeline that the
24 PACE program could not presently accommodate Dr. Siems, arrangements would have
25 been made to take the matter back to the Board to alter the terms of the Settlement
26 Agreement. T.47-48;

27 Dr. Siems recognized a copy of the Settlement Agreement and acknowledged that
28 he signed it. T.51-52;

1 *Dr. Siems acknowledged that he knew his deadline for complying with the terms*
2 *of the Settlement Agreement was December 3, 2022. T.54;*

3 *At some time during December, 2022, Dr. Siems had his manager Isabella call*
4 *the IC to provide an update on his process of complying with the Settlement Agreement,*
5 *but not to request an extension of time. T.55-56;*

6 *Dr. Siems confirmed that while he does not recall receiving the IC's letter via his*
7 *counsel following the approval of the Settlement Agreement, that does not mean that he*
8 *does not remember the "settlement demands." "That's not my claim. I was aware of*
9 *what the settlement demands were." On questioning by Mr. White, Dr. Siems*
10 *acknowledged he was aware of the settlement demands as of the date he signed the*
11 *document, i.e. November 24, 2021. T.57;*

12 Email correspondence between Dr. Siems and the PACE program showed that Dr.
13 Siems was not yet enrolled with PACE as of December 20, 2022, as his outstanding
14 balance due for participation was \$10,000.00. The balance due check was dated December
15 30, 2022, three days after service of the suspension order. T.61, 63-65, Respondent's
16 Exhibits p.0003, 00095;

17 *The first time that Dr. Siems, or his office personnel, contacted the PACE*
18 *program was October 31, 2022 (or approximately 33 days prior to the compliance*
19 *deadline in the Settlement Agreement). T.63;*

20 *When asked directly if he complied with the terms of the Settlement Agreement,*
21 *Dr. Siems answered "No." T.65;*

22 Dr. Siems was advised that he had the opportunity to present a defense case, but as
23 the Board and its IC have the burden of proof, he (Dr. Siems) had no obligation to do so.
24 Dr. Siems chose to provide a defense case. T.67-68;

25 Beginning at page 75 of the transcript, Dr. Siems provided a quite thorough history
26 of some highly traumatic personal crises which began happening in his life in November,
27 2022, i.e. approximately one month or less before the December 3, 2022 deadline for
28 complying with the Settlement Agreement. Those circumstances include a November 22,
2022 trip to Europe for approximately two weeks due to family medical emergencies,

1 ongoing emergent care of a young man that Dr. Siems refers to as his step-son upon return
2 to the United States from Europe, and the necessity of a restraining order on December 23,
3 2022. The undersigned Hearing Officer declines to include details of those matters here to
4 protect the privacy of Dr. Siems' and his family members. Suffice it to say that
5 circumstances involving the mother of his children, and the young man whom Dr. Siems
6 refers to as his step-son, were in crisis stage, which, according to sworn testimony, were
7 physically and emotionally consuming. T.75-141;

8 Dr. Siems received a letter from the PACE program advising that the program
9 could not accommodate Dr. Siems. That letter was dated April 6, 2023. T.82,
10 Respondent's Exhibits p.0147;

11 Dr. Siems believes it is the Board's responsibility to determine whether or not the
12 PACE program could accommodate him. Dr. Siems does not feel it is his responsibility to
13 make that determination. T.84;

14 Dr. Siems testified that he waited four months, i.e. until the PACE program letter of
15 April 6, 2023, to discover / confirm that PACE could not accommodate him. T.89;

16 Dr. Siems asked his witness Amel Youssef, O.D., if the trauma they jointly
17 experienced because of her son's medical emergencies could distract a person "enough that
18 mundane parts of life, perhaps, were ignored and made oblivious?" She testified in the
19 affirmative. T.114-115;

20 ANALYSIS

21 This Hearing Officer did not find any witness who testified at the hearing to have
22 credibility issues. While the witnesses called by Dr. Siems could be argued to be self-
23 serving, those witnesses presented as genuine and factual. This Hearing Officer takes their
24 testimony, along with all of that elicited by the IC, at full face value.

25 Dr. Siems executed the Settlement Agreement on November 24, 2021. He soon
26 thereafter learned that pursuant to an Order of the Board, he had until December 3, 2022,
27 to complete the conditions of his resolution. He first contacted the PACE program on
28 October 31, 2022, one month and three days before his deadline for full completion of all
conditions. That deadline came and went without Dr. Siems handling his CME or PACE

1 obligations. On December 27, 2022, Dr. Siems' license was summarily suspended for his
2 failure to comply with the conditions of the Settlement Agreement. A formal noticed
3 hearing confirming the suspension was held February 2, 2023. It was after that hearing
4 that Dr. Siems completed his CME requirements, which was more than two months out of
5 compliance. Dr. Siems received a letter confirming that the PACE program could not
6 accommodate him on or after April 6, 2023, just a week prior to the formal Hearing on the
7 Complaint alleging his failure to comply. And while Dr. Siems had his office manager
8 contact the IC with a status update on his compliance at some time in December, 2022,
9 (most likely after his December 3 deadline), at no time – either before or after the deadline
10 - did Dr. Siems or his staff ever request additional time to complete his requirements under
11 the Settlement Agreement.

12 Dr. Siems offered what is genuinely a compassion-evoking explanation of a series
13 of unfortunate and even tragic events in his life - not the results of his doing - and which no
14 doubt required a great deal of his time and attention. The evidence is clear that he
15 responded well to loved ones in need. His actions were indeed admirable.

16 Unfortunately, Dr. Siems' defense is measured against three harsh realities. First,
17 as he readily acknowledged, Dr. Siems failed to comply with the terms of his Settlement
18 Agreement and the Board's Order mandating such. Second, Dr. Siems made no contact
19 with the PACE program till he was only thirty-three days away from his deadline. Third,
20 Dr. Siems did not reach out to the IC until after his deadline passed, and even when he had
21 his office manager call, it was to provide a status update and not to seek additional time to
22 comply. Further, it is apparent from the record that the great majority of the challenges
23 that occurred in Dr. Siems' personal life arose either just prior to his compliance deadline –
24 and some even occurred thereafter (such as the necessity of obtaining a restraining order).

25 Dr. Siems also offers as part of his defense that it should have been the Board's
26 responsibility to ensure that the PACE program could accommodate his area of specialty /
27 expertise before including such in the Settlement Agreement. While not fully articulated in
28 the record, it appears to the Hearing Officer that those involved in crafting the Settlement
Agreement had ample cause to believe based on past experience that the PACE program

1 could serve a physician of Dr. Siems' specialty. It is also apparent from the record that
2 Covid-19 had impacted the ability of the PACE program to accommodate some specialties.
3 Accordingly, the Hearing Officer does not recognize a basis to leave upon the Board sole
4 responsibility for the potential availability of the PACE program to function for Dr. Siems.
5 As stated repeatedly by the IC's counsel Mr. White, had Dr. Siems not waited 333 days to
6 initiate contact with PACE, this case could have been quite different. Ms. LaRue made
7 sufficiently clear that timely notice of any deficiency in the ability of the PACE program to
8 serve in this case would have allowed the Board to amend its requirements. Finally, there
9 is the logical reality that the party on the hook, i.e. the one with his licensure at stake,
10 ought to engage in sufficient due diligence to ensure he is doing all that is required to
11 preserve his valuable practice. Dr. Siems offered no explanation as to why he did not
12 reach out to PACE until October 31, 2022, or why he did not complete his CMEs from the
13 time he signed the Settlement Agreement in November, 2021, until his personal challenges
14 arose in late November 2022. Finally, it must be recognized that Dr. Siems' counsel – who
15 was an extension of Dr. Siems, participated in the negotiating and crafting of the
16 Settlement Agreement. And it was Dr. Siems who executed that Agreement. And
17 accordingly, Dr. Siems shares responsibility for what that Agreement contains.

18 It is also significant that the statute at issue here is one of strict liability. While Dr.
19 Siems argues that the statute does not prohibit consideration of extenuating circumstances,
20 that does not obviate the plain language of the law that "knowingly or willfully failing to
21 comply with . . . [an] order of the Board constitutes grounds for initiating disciplinary
22 action. The Settlement Agreement became an Order of the Board when the Board
23 approved it. The Order is the final page of the Agreement. Dr. Siems candidly admitted
24 he knew that he did not comply with that Order. The knowing prong of the statute is thus
25 satisfied. And while not a necessary finding or conclusion since either a knowing *or*
26 willful violation will trigger the ramifications of the statute, it can reasonably be
27 determined that Dr. Siems' failure to comply was willful considering the long delay before
28 he took any action whatsoever. The Hearing Officer finds Dr. Siems' passive description
of the Board's Order as a "mundane part of life" as a reflection of the amount of concern

1 he had for the Order, which is further reflected in the long delay before any action was
2 taken whatsoever. In any event, the knowing violation is clear and convincing, thus
3 exceeding the IC's burden of proving their case by a preponderance of the evidence.

4 **CONCLUSION**

5 This Hearing Officer, while readily acknowledging the significant trying life events
6 experienced by Dr. Siems and his family, must recommend that the Board find that
7 Respondent Dr. Jon Lane Siems, M.D., violated the statute as alleged in the Complaint, in
8 that he knowingly failed to comply with the terms of the Order contained within the
9 Settlement Agreement. There is no doubt room for compassion for Dr. Siems in all he
10 experienced in his personal life right around the compliance deadline. But those
11 extenuating circumstances do not negate the knowing failure to meet his mandated
12 obligations, especially when he took no action to inform the Board of those circumstances
13 and/or to seek additional time to comply, or to have the requirements duly amended.

14
15 Respectfully submitted this 8th day of May, 2023.

16
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18 Charles B. Woodman, Hearing Officer
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2

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

3 * * * * *

4
5 **In the Matter of Charges and**
6 **Complaint Against:**
7 **JON LANE SIEMS, M.D.,**
8 **Respondent.**

Case No. 24-13009-1

FILED

AUG - 5 2025

**NEVADA STATE BOARD OF
MEDICAL EXAMINERS**

By: _____

9
10 **FINDINGS AND RECOMMENDATIONS/SYNOPSIS OF RECORD**

11 **I. INTRODUCTION**

12 Pursuant to the Scheduling Order, filed June 17, 2025, in the above-entitled case, a formal
13 hearing was held in front of the under-signed hearing officer on July 29, 2025, beginning at 9:00
14 A.M. at the Reno office of the Nevada State Board of Medical Examiners (the "Board"). Donald K.
15 White, Senior Deputy General Counsel, appeared on behalf of the Investigative Committee of the
16 Nevada State Board of Medical Examiners (the "IC"). The Respondent, Jon Lane Siems, M.D., did
17 not appear personally or through a representative. Court Reporter Brandi Ann Vianney Smith was
18 present and transcribed the proceedings. Legal Assistant Meg Byrd was also present in the hearing
19 room to provide administrative support for the hearing.

20 The following witness appeared and were sworn in by the court reporter before testifying:
21 Meg, Byrd, Legal Assistant for the Board; and Johnna LaRue, Deputy Chief of Investigations and
22 Compliance Officer for the Board.

23 The transcript prepared by the court reporter consists of 48 pages of testimony and argument.
24 References to the hearing transcript are made below and designated by "TR-" followed by the page
25 number of the transcript. References are also made to the exhibits submitted by IC by the designation
26 NSBME followed by the page number.

27 The following exhibits were admitted into evidence and the transcript page of the exhibit's
28 admission is noted:

- Exhibit 1—Findings of Fact, Conclusions of Law, and Order, NSBME 001-017 (TR-24)
- Exhibit 2—Compliance Letter, NSBME 018-019 (TR-27)
- Exhibit 3—Proof of Service, NSBME 020-024 (TR-27)
- Exhibit 4—Order Denying Respondent’s Request for Modification of the Terms of the Findings of Fact, Conclusions of Law, and Order, NSBME 025-029 (TR-31)
- Exhibit 5—Emails with CPEP, NSBME 030-033 (TR-38)
- Exhibit 6—Board of Medical Examiners Statement, NSBME 034 (TR-41)

The formal hearing began at 9:01 A.M. and concluded at 10:02 A.M.

II. ALLEGATIONS

A formal complaint against Respondent was filed on October 8, 2024. The Complaint contains one count of a knowing or willful failure to comply with a Board order in alleged violation of NRS 630.3065(2)(a) by knowingly or willfully failing to comply with an order of the Board to pay \$7,499.20 by June 1, 2024. As such, the Complaint asserts, Respondent is subject to discipline by the Board as provided for in NRS 630.352.

No answer was filed. Pursuant to NRS 630.339(2), when a respondent does not file an answer, the respondent shall be deemed to have denied generally the allegations of the formal complaint and the IC may proceed in the same manner as if the answer were timely filed.

III. WITNESSES, EVIDENCE AND THE FORMAL HEARING

The testimony of the witness is summarized below from the transcript of the hearing. As a summary of the testimony, it does not include everything stated on the record.

Senior Deputy General Counsel Don White appeared for the IC. The hearing officer noted that Respondent was not present in person or electronically nor was he represented by another person. A 10-minute recess was called to provide additional time for Respondent to appear. TR-5.

1 A. Meg Byrd. Board of Medical Examiners Legal Assistance Meg Byrd was present at
2 the hearing. Mr. White explained that Ms. Byrd has several separate functions with the Board of
3 Medical Examiners. In addition to serving as an assistant to Mr. White, Ms. Byrd is also a filing
4 clerk whose duties include serving filed documents on the parties to Board cases. TR-7.

5 The hearing officer noted that pursuant to NRS 622A.350 when a party fails to appear at a
6 scheduled hearing, the hearing officer must determine whether adequate notice of a formal hearing
7 was given before proceeding without the absent party. TR-9. As such the hearing officer asked Ms.
8 Byrd be sworn and provide testimony about the notices for the formal hearing that were given to
9 Respondent. Ms. Byrd was not listed as a witness in the prehearing conference statement. The
10 hearing officer found, due to the absence of Respondent and any representative, good cause exists for
11 the testimony of Ms. Byrd regarding the notices of the hearing. TR-7.

12 Ms. Byrd stated she was familiar with Exhibit 10 and said it was the scheduling order for
13 Respondent's case filed on June 17, 2025. The scheduling order was served on Respondent as
14 evidenced by the FedEx confirmation slip (No. 882094509691). TR-10. The scheduling order states
15 that the date of the formal hearing is July 29, 2025. Ms. Byrd explained that she has regular
16 communication with her counterparts in the Las Vegas office of the Board concerning the logistics
17 for Board cases. Through communications with Malia Kaeo just prior to the start of the formal
18 hearing, Ms. Byrd confirmed that Respondent was not present in the Las Vegas office of the Board to
19 appear at the hearing remotely. TR-11.

20 The hearing officer found that adequate notice of the formal hearing was given to
21 Respondent, and the hearing could continue in his absence. TR-12. Mr. White noted for the record
22 Exhibit 4 (which was later admitted into evidence) establishes that Ms. Byrd also filed proof of
23 service for the Complaint. TR-12.

24 B. Johnna LaRue.

25 State Board of Medical Examiners Deputy Chief of Investigations and Compliance Officer
26 Johnna LaRue was called by the IC. Ms. LaRue has been with the Board for 19 years and Deputy
27 Chief for 4 years. She has been the Compliance Officer since 2009. TR-19. As Compliance Officer
28 Ms. LaRue is tasked with keeping track of licensees' compliance with Board orders. TR-20.

1 Ms. LaRue reviewed Exhibit 1 and was familiar with it. Exhibit 1 is the Findings of Fact,
2 Conclusions of Law, and Order for Respondent in Case no. 23-13009-1, file-stamped December 19,
3 2023. TR-21. Paragraph 5 of Exhibit 1 provides that Respondent was ordered to pay \$7,499.20
4 within six months of December 26, 2023 which was the date of service of the Order (Exhibit 1). TR-
5 23.

6 Ms. LaRue reviewed Exhibit 3 and was familiar with it. Exhibit 3 is the proof of service of
7 the Findings of Fact, Conclusions of Law, and Order for Respondent and proof of service of a
8 compliance letter. TR-22.

9 When licensees pay amounts due under a Board order, Ms. LaRue receives a receipt from the
10 Board Finance Department that money has been paid. TR-23. Respondent has not paid anything.
11 TR-23.

12 Ms. LaRue reviewed Exhibit 2 and was familiar with it. Exhibit 2 is a compliance letter sent
13 to Respondent. TR-24. Ms. LaRue knows the compliance letter was received at Respondent's
14 address because of the return receipt in Exhibit 3. TR-24. Ms. LaRue's practice is to send
15 compliance letters after the Board of Medical Examiners has issued an order regarding a licensee.
16 TR-25.

17 The compliance letter states that the Board's order mandates payment of \$7,499.20 by June 1,
18 2024. TR-26. Respondent was not summarily suspended immediately after the failure to pay
19 \$7,499.20 by June 1, 2024. The summary suspension took place in September [of 2024]. TR-26.
20 The \$7,499.20 remains unpaid. TR-27. The compliance letter also informs Respondent of the
21 Board's order that he complete a physician assessment and competency evaluation within six months
22 of the date of the order. TR-27.

23 Ms. LaRue reviewed Exhibit 4 and was familiar with it. Exhibit 4 is an order of the Board
24 denying Respondent's request to modify the Findings of Fact, Conclusions of Law, and Order. TR-
25 28. Respondent appeared at the March, 2025 meeting of the Board and his request to modify the
26 terms of the Board's order was denied. TR-28-29.

27 Ms. LaRue noted as Compliance Officer she was aware from reviewing email
28 correspondence that it appears Respondent is declining to participate in any further proceedings

1 involving his compliance with Board orders after the Board meeting in March of 2025. TR-30.
2 NSBME 027-029.

3 Ms. LaRue reviewed Exhibit 5 and was familiar with it. Exhibit 5 consists of email
4 communication between Ms. LaRue and Amanda Besmanoff from the CPEP organization regarding
5 Respondent's physician assessment. TR-32. Ms. LaRue recalls that she initially contacted Ms.
6 Besmanoff to set up an assessment for Respondent. TR-32. Even though Respondent participated in
7 the assessment, CPEP and Ms. Besmanoff would not release the results because Respondent
8 neglected to pay the costs of the assessment to CPEP. TR-32-33. As of February 4, 2025,
9 Respondent had not paid the amount [\$5,500] due for the assessment completed October 14-15,
10 2024. NSBME 030-033.

11 Ms. LaRue's corresponded with Ms. Besmanoff and CPEP prior to the March, 2025 Board
12 meeting to be able to inform the Board of Respondent's compliance with the prior order. Due to
13 Respondent's failure to pay CPEP for the costs of the assessment, the results of the assessment were
14 unavailable to Mr. LaRue and therefore unavailable to the Board for the March meeting. TR-35-37.

15 Ms. LaRue reviewed Exhibit 6 and was familiar with it. Exhibit 6 is statement for
16 Respondent which is used to track the payment of balances owed to the Board. It is dated June 17,
17 2025. NSBME 034. When payments are received, Ms. LaRue gets receipts that show payments.
18 TR-39. The receipt processing and logging of payments are done by the Board's Finance
19 Department. TR-40-41.

20 Ms. LaRue explained that the reports from physician assessment companies address the
21 physician's knowledge of the physician's specialty and competency. The report also evaluates the
22 person's physical and mental health and will make recommendations about the potential need for
23 further training or assessments. The reports are usually not more than five pages but can be longer if
24 the assessment lasts multiple days. The reports are usually shared with the Board prior to Board
25 meetings involving a physician. TR-42-43. In Respondent's case, the assessment report could not be
26 provided to the Board because the assessment company will not release the report without payment
27 of its fees. TR-43-44.

28 The IC gave a closing argument. TR-45-47.

1
2 **IV. LEGAL STANDARDS FOR HEARINGS AND EVIDENCE**

3 A. The Rules of Evidence in Administrative Agency Discipline Cases.

4 This case is an administrative proceeding under NRS Chapter 233B and the usual evidentiary
5 standards are relaxed. NRS 630.346 provides that in any disciplinary hearing, a hearing officer is
6 “not bound by formal rules of evidence, except that evidence must be taken and considered in the
7 hearing pursuant to NRS 233B.123, and a witness must not be barred from testifying solely because
8 the witness was or is incompetent.”

9 NRS 233B.123, in turn, provides:

10 1. Irrelevant, immaterial or unduly repetitious evidence must be excluded.
11 Evidence may be admitted, except where precluded by statute, if it is of a type
12 commonly relied upon by reasonable and prudent persons in the conduct of their
13 affairs. Agencies shall give effect to the rules of privilege recognized by law.
14 Objections to evidentiary offers may be made and must be noted in the record.
15 Subject to the requirements of this subsection, when a hearing will be expedited and
16 the interests of the parties will not be prejudiced substantially, any part of the
17 evidence may be received in written form.

18 2. Documentary evidence may be received in the form of authenticated
19 copies or excerpts. Upon request, parties must be given an opportunity to compare the
20 copy with the original.

21 3. Every witness shall declare, by oath or affirmation, that he or she will
22 testify truthfully.

23 4. Each party may call and examine witnesses, introduce exhibits, cross-
24 examine opposing witnesses on any matter relevant to the issues even though the
25 matter was not covered in the direct examination, impeach any witness, regardless of
26 which party first called the witness to testify, and rebut the evidence against him or
27 her.

28 5. Notice may be taken of judicially cognizable facts and of generally
recognized technical or scientific facts within the specialized knowledge of the
agency. Parties must be notified either before or during the hearing, or by reference in
preliminary reports or otherwise, of the material noticed, including any staff
memoranda or data, and they must be afforded an opportunity to contest the material
so noticed. The experience, technical competence and specialized knowledge of the
agency may be utilized in the evaluation of the evidence.

26 B. Hearsay in Administrative Agency Discipline Cases.

27 Hearsay is admissible in administrative hearings. *State, Dept. of Motor Vehicles v. Kiffe*, 709
28 P.2d 1017, 101 Nev. 729 (Nev. 1985) (Hearsay statements of one police officer to another were

1 evidence of the type commonly relied upon by reasonable and prudent persons in the conduct of their
2 affairs and not excluded.) Referring to the *Kiffe* decision, the Nevada Supreme Court wrote in
3 *State, Dept. of Motor Vehicles and Public Safety v. Evans*:

4 [W]e confirmed that the hearsay evidence was admissible under the general hearsay
5 exception, NRS 51.075(1). We further confirmed that the hearsay was expressly
6 admissible in the administrative revocation proceeding under NRS 233B.123(1)
7 because, under the circumstances, the evidence consisting of the first officer's
statement to the second officer was of a type commonly relied upon by reasonable
and prudent persons in the conduct of their affairs.

8 952 P.2d 958,.960, 114 Nev. 41, 44 (Nev. 1998).

9
10 C. Authentication in Administrative Agency Discipline Cases.

11 Only irrelevant, immaterial or unduly repetitious evidence must be excluded in an
12 administrative hearing. NRS 233B.123(1). Authentication of documentary evidence ensures that the
13 matter in question is what its proponent of the evidence claims it to be. NRS 52.015.

14 "Authentication relates to relevancy because 'evidence cannot have a tendency to make the existence
15 of a disputed fact more or less likely if the evidence is not that which its proponent claims.'

16 *Rodriguez v. State*, 128 Nev. 155, ___, 273 P.3d 845, 848 (2012) (internal quotation marks omitted)."

17 (Proponents of text messages as evidence in a criminal case must explain purposes for which they are
18 being offered and provide direct or circumstantial corroborating evidence of authorship in order to
19 authenticate). The Court wrote in *Rodriguez*:

20 The requirement of authentication or identification as a condition precedent to
21 admissibility is satisfied by evidence or other showing sufficient to support a finding
22 that the matter in question is what its proponent claims." NRS 52.015(1). Because the
23 authentication inquiry is whether "the matter in question is what its proponent
24 claims," the proponent of the evidence "can control what will be required to satisfy
25 the authentication requirement" by "deciding what he offers it to prove." 31 Charles
Alan Wright & Victor James Gold, *Federal Practice and Procedure* § 7104, at 31 (1st
ed. 2000) (internal quotation marks omitted). The question then is what is necessary
to authenticate a text message.

26 *Id.*, 273 P.3d at 849. *Rodriguez* is a criminal case and the evidentiary standards in criminal case are
27 different from administrative procedures. Nonetheless, the need to establish that a piece of evidence
28 is what its proponent of the evidence claims it to be is important for the relevance determination.

1 D. The Burden of Proof.

2 The allegations of the Complaint must be proven by a preponderance of evidence. NRS
3 630.301(4). The Respondent did not appear and did not present evidence. Thus, there is no evidence
4 to weigh against the evidence the IC presented. Whether the allegations of the Complaint were
5 proven depends only upon the IC's evidence.

6 NRS 622A.350 provides:

7 1. If a party fails to appear at a scheduled hearing and a continuance has not
8 been scheduled or granted, any party who is present at the hearing may make an offer of
9 proof that the absent party was given sufficient legal notice. Upon a determination by the
10 regulatory body or hearing panel or officer that the absent party was given sufficient legal
11 notice, the regulatory body or hearing panel or officer may proceed to consider and dispose of
12 the case without the participation of the absent party.

13 2. If the licensee fails to appear at a hearing, the regulatory body or hearing
14 panel or officer may accept the allegations against the licensee in the charging document as
15 true.

16 **V. FINDINGS**

17 Ms. Byrd and Ms. LaRue appeared genuine and gave credible testimony.

18 The Complaint alleges Respondent knowingly or willfully failing to comply with an order of
19 the Board to pay \$7,499.20 by June 1, 2024. All the available evidence establishes that Respondent
20 has failed to pay \$7,499.20 by June 1, 2024. The only remaining question is whether the failure to
21 pay was knowing or willful.

22 The uncontroverted evidence establishes the following:

- 23 • Paragraph 5 of Exhibit 1 (Findings of Fact, Conclusions of Law, and Order for
24 Respondent in Case no. 23-13009-1) provides that Respondent was ordered to pay
25 \$7,499.20 within six months of December 26, 2023 which was the date of service of the
26 Order (Exhibit 1). NSBME 014-019.
- 27 • Exhibit 2 (Compliance letter) further establishes that Respondent was informed of the
28 mandate to pay \$7,499.20.
- Exhibit 3 (Proof of Service) establishes that Respondent had notice of the Findings of
Fact, Conclusions of Law, and Order for Respondent in Case no. 23-13009-1 and the
Compliance letter both of which describe the obligation to pay \$7,499.20.

- Exhibit 4 (Board order denying request to modify Findings of Fact, Conclusions of Law, and Order) establishes that Respondent knew of the existence of the order to pay \$7,499.20 because he sought relief from it.
- Exhibit 6 (Balance statement) establishes that Respondent has not paid the \$7,499.20 as recently as June 17, 2025.

The Respondent was given several written notices of his obligation under the Board's order to pay \$7,499.20. The Respondent knew of the obligation because he appeared at the Board's March 2025 meeting and asked for relief from that order. The continued failure to pay the amount due must therefore be knowing or willful. The allegations of Count I of the Complaint have been proven by a preponderance of the evidence. And, since Respondent did not appear at the formal hearing, the allegations in the Complaint may be accepted as true.

VI. RECOMMENDATION

A hearing officer appointed by the Board is responsible for submitting written findings and recommendations to the Board. NRS 622A.380(1)(l). It is the recommendation of the undersigned hearing officer that a preponderance of the evidence establishes that, as alleged in the uncontested Complaint, and as further described in the Findings, above, the Board should find Respondent, Dr. Jon Lane Siems, M.D., knowingly or willfully failing to comply with an order of the Board to pay \$7,499.20 by June 1, 2024.

DATED this 5th day of August, 2025.


Hearing Officer

Paul A. Lipparelli
Tel: 775-771-6927
Email: paul.lipparelli@gmail.com

3

Hearing; July 29, 2025

BEFORE THE BOARD OF MEDICAL EXAMINERS
OF THE STATE OF NEVADA

FILED

JUL 30 2025

NEVADA STATE BOARD OF
MEDICAL EXAMINERS
By: 

In the Matter of Charges Case No. 24-13009-1
and Complaint Against:

JON LANE SIEMS M.D.,

Respondent.

-----/

TRANSCRIPT OF HEARING PROCEEDINGS

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

Tuesday, July 29, 2025

Reported by: Brandi Ann Vianney Smith

Job Number: 7435848

Page 1

A P P E A R A N C E S:

THE HEARING OFFICER: PAUL LIPPARELLI, ESQ.

FOR THE INVESTIGATIVE DON WHITE, ESQ.
COMMITTEE OF THE NEVADA Sr. General Counsel
STATE BOARD OF MEDICAL Nevada State Board
EXAMINERS: of Medical Examiners
9600 Gateway Drive
Reno, NV 89521
dwhite@medboard.nv.gov

ALSO PRESENT:
Meg Byrd, Legal Assistant

- 000 -

I N D E X

PAGE

OPENING STATEMENT:

By Mr. White

13

WITNESSES ON BEHALF OF THE IC:

Johnna LaRue

Direct Examination by Mr. White

19

EXAMINATION BY THE HEARING OFFICER:

Meg Byrd

9

Johnna LaRue

42

CLOSING STATEMENT:

By Mr. White

45

EXHIBITS

(not attached)

PAGE

IC'S EXHIBITS:

Exhibit 1	Findings of Fact, Conclusions of Law, and Order	6
Exhibit 2	NSBME letter, 12/19/2023	6
Exhibit 3	Proof of Service	6
Exhibit 4	Order Denying Request for Modification	
Exhibit 5	Email from CPEP, 2/4/2025	6
Exhibit 6	Statement, 6/17/2025	6

1 RENO, NEVADA -- TUESDAY, JULY 29, 2025 -- 9:01 A.M.

2 -000-

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4
5 HEARING OFFICER LIPPARELLI: All right.
6 I'd like to call to order the formal hearing in the
7 matter of Jon Lane Siems, the State Board of Medical
8 Examiners case number 24-13009-1. I'm Paul
9 Lipparelli, the appointed Hearing Officer.

10 Let's have the party state their
11 appearances for the record.

12 MR. WHITE: Don White, Senior Deputy
13 General Counsel, on behalf of the IC in this matter.

14 HEARING OFFICER LIPPARELLI: I will state
15 for the record that I do not see the presence of the
16 respondent, Dr. Siems, nor anyone purporting to be a
17 representative for Dr. Siems.

18 He has indicated through some email
19 correspondence that he may not -- he may choose not
20 to appear today, but I would like to recess the
21 hearing until 9:10 to give Dr. Siems an opportunity
22 to be present or to phone in or by any other means.

23 We'll be in recess until 9:10.

24 (Recess from 9:02 a.m. to 9:10 a.m.)

25 HEARING OFFICER LIPPARELLI: We're back on

1 the record in the matter of John Lane Siems. It's
2 now 9:10 and nobody is present here in the hearing
3 room.

4 Mr. White, what I'd like to do as kind of
5 a preliminary matter is -- and if you don't
6 object -- to have Ms. Byrd sworn in and and testify
7 to a few things concerning the notices given for
8 this hearing and any information she has from the
9 Las Vegas office about whether Dr. Siems has made
10 any contact with the office.

11 MR. WHITE: That sounds fine, Mr.
12 Lipparelli. I would agree to that.

13 I was actually prepared to make an offer
14 of proof pursuant to NRS 6228.350. That way we can
15 maybe make this hearing go a little quicker if he's
16 not going to appear.

17 But if it -- if you take care of
18 everything with Ms. Byrd, I'll only offer whatever
19 else that is left over, if there's anything.

20 HEARING OFFICER LIPPARELLI: Okay.

21 MR. WHITE: Yeah. Is that -- does that
22 make sense?

23 HEARING OFFICER LIPPARELLI: Sure. We
24 could go with your offer of proof, you're prepared
25 to do that anyway.

1 Just along -- in the process of doing
2 that, if you could have Ms. Byrd testify about what
3 she knows about the notices for the hearing.

4 I'll state for the record that I find, due
5 to the absence of Dr. Siems or any other
6 representative, that good cause exists for the
7 testimony of Ms. Byrd, who was not listed as a
8 proposed witness.

9 MR. WHITE: Thank you.

10 So -- yeah, and maybe we should -- just to
11 clear up the record, I know that everybody at the
12 Board probably knows this and will see this, but Ms.
13 Byrd wears kind of two hats. She is the legal
14 assistant for me and Ian Cummings, who is also
15 present right now in here, but also, her other hat,
16 she's a filing clerk for this office and in our
17 cases, when we do these cases.

18 She is kind of the one in charge of -- not
19 kind of. She's the one in charge of making sure
20 important documents get to the respondents, like the
21 complaint and other things, and their fingerprints.
22 And, for instance, these -- some of these things in
23 here in this binder, this pleading binder, like
24 scheduling orders. And we'll get to that in a
25 moment. She does wear kind of two hats.

1 Pursuant to 622A.350, NRS, failure to
2 appear:

3 "If a party fails to appear at a
4 scheduled hearing and a continuance
5 has not been granted or scheduled,
6 any party who was present at the
7 hearing may make an offer of proof
8 that the absent party was given
9 sufficient legal notice.

10 "Upon a determination by the
11 regulatory body or hearing panel or
12 officer that the absent party was
13 given sufficient notice, the
14 regulatory body or hearing panel or
15 officer may proceed to consider and
16 dispose of the case without the
17 participation of the absent party."

18 Subsection 2 says:

19 "If the licensee fails to appear at a
20 hearing, the regulatory body or
21 hearing panel or officer may accept
22 the allegations against the licensee
23 in the charging document as true."

24 So based on that -- and Ms. Byrd, just for
25 the record, is sitting right next to me. I'm going

1 to share a binder with her. I'm going through --
2 I'm going to go through a couple of things, but
3 I'm -- one of the things I'm going to go through is
4 the pleading binder, docketed pleadings, which I
5 think become officially part of the record just
6 because of what they purport to be, which is
7 pleading documents.

8 So starting with page -- oh, that's right.
9 We've got to swear her in.

10 (The oath was administered.)

11 HEARING OFFICER LIPPARELLI: Mr. White,
12 before you proceed with the exhibits, as you noted
13 by citing NRS 62A.350, it's upon me to make the
14 determination that adequate notice is given before
15 we proceed with the hearing.

16 I'd like to do that by asking Ms. Byrd
17 just a couple of questions.

18 MR. WHITE: Certainly.

19 EXAMINATION BY THE HEARING OFFICER
20 BY HEARING OFFICER LIPPARELLI:

21 Q. Ms. Byrd, you have the exhibit book in
22 front of you and if you'll turn to Tab 11 -- not
23 11 -- 10, the file docketed documents.

24 A. Okay. I'm there.

25 Q. Are you familiar with the document under

1 Tab 10?

2 A. I am.

3 Q. What is it?

4 A. It is a Scheduling Order filed on June 17,
5 2025.

6 Q. Do you know whether this was served on the
7 respondent?

8 A. It was.

9 Q. How do you know that?

10 A. I know that because I sent this document.
11 According to my certificate of service, which is
12 page 4, it was sent by Certified Mail as well as by
13 FedEx. Certified Mail number 9489017898203037210348
14 was returned. It's showing that Jon Siems did not
15 receive the certified mailing, which is the last
16 page of that particular pleading.

17 However, FedEx number 882094509691 was
18 delivered, according to the FedEx confirmation slip.
19 It was delivered on June 24, 2025 at 11:20 a.m.

20 Q. Thank you.

21 The Scheduling Order contains references
22 to the dates for events in the case. Is that
23 correct?

24 A. Yes, sir.

25 Q. The pre-hearing conference date?

1 A. Yes, sir.

2 Q. And the formal hearing date in July 29 --

3 A. Yes.

4 Q. -- 2025?

5 A. Yes.

6 Q. Okay. Ms. Byrd, do you sometimes have
7 contact with colleagues in the Southern Nevada
8 office concerning logistics for cases?

9 A. Yes, I do.

10 Q. Have you had any contact with the Las
11 Vegas office today concerning the Siems case?

12 A. I have. I spoke with Malia Kaeo.

13 Q. Can you spell that?

14 A. Malia is M-A-L-I-A. I will get the court
15 reporter her last name. It's a little more
16 complicated. I will make sure she receives it.

17 I spoke with her this morning,
18 approximately 8:54 a.m., and she -- I asked her
19 specifically if Dr. Siems was at the Las Vegas
20 office to attend the hearing.

21 Malia informed me that he is not at the
22 Las Vegas office.

23 I asked her to text me on my cell phone
24 should he arrive; any time from the phone call that
25 I made at 8:54 until 9:10 a.m., I received no text

1 messages.

2 HEARING OFFICER LIPPARELLI: Okay.

3 Mr. White, based on Ms. Byrd's testimony, I find
4 that adequate notice was given for the formal
5 hearing today and that respondent is not present nor
6 represented by any agent, and, therefore, could be
7 considered absent.

8 You may proceed with the presentation of
9 whatever materials you feel is appropriate to
10 establish a record in the case.

11 MR. WHITE: Thank you, Mr. Lipparelli.
12 I'll do that.

13 And I'd also like to just point out, just
14 to really shore things up, Mr. Lipparelli, if you
15 just give me the opportunity.

16 HEARING OFFICER LIPPARELLI: Yes.

17 MR. WHITE: Tab 4 is the Proof of Service
18 of the Complaint, which is also obviously extremely
19 important in this case. He did receive that. The
20 date -- and it's signed by Ms. Byrd -- is October 9,
21 2024, is when the proof of service was filled out by
22 Ms. Byrd.

23 And if you see, attached to that, is
24 Exhibit 1 and it looks like a signature again. Via
25 FedEx, it was sent.

1 HEARING OFFICER LIPPARELLI: Noted. Thank
2 you.

3 MR. WHITE: At this moment, I'd like to
4 call Ms. Johnna LaRue as our -- probably our only
5 witness necessary today.

6 (Ms. LaRue entered the hearing room.)

7 MR. WHITE: I have an opening statement
8 too. Would you like me to do that before Ms. LaRue?

9 HEARING OFFICER LIPPARELLI: Yes.

10 I'll just note for the record, Ms. LaRue
11 is present in the hearing room but the rule of
12 exclusion hasn't been invoked by anyone, and I don't
13 find any difficulty with her being present for your
14 opening statement.

15 MR. WHITE: Okay. Thank you. This
16 shouldn't take very long.

17 IC'S OPENING STATEMENT

18 MR. WHITE: This hearing is to present
19 evidence to determine if Dr. Siems violated the sole
20 count of knowing or willful failure to comply with a
21 Board order pursuant to NRS 630.3065, Subsection 2,
22 Subsection A.

23 I want to note that it's important to note
24 that there's an "or" in the statute in that wording.
25 Doesn't have to be knowing and willful. It's

1 knowing or willful. I think we'll definitely be
2 able to prove that it was knowing. And whether or
3 not it was willful is of no consequence; however,
4 that will be proven too, because he has had multiple
5 opportunities, as will be shown today, to comply
6 with the Board's order in this matter.

7 He's been licensed since December of 1999.
8 Just some procedural history, Dr. Siems settled --
9 this all originates from a case that was filed in
10 2019, but I won't go through everything.

11 Dr. Siems settled the matter with the
12 Board, which included about ten other matters, on
13 December 3, 2021, after a hearing. But then we
14 ended up settling it.

15 The Board ordered Dr. Siems to do many
16 things, but in particular, he did not attend PACE,
17 which he was supposed to. PACE stands for Physician
18 Assessment and Competency Evaluation. It's a
19 program at the University of San Diego. He had a
20 year to get that done.

21 And then the Investigative Committee
22 issued a suspension of Dr. Siems back in December of
23 2022 for failing to complete the PACE program.

24 A show cause hearing took place with
25 Dr. Siems in attendance on February 2, 2023. He

1 remained suspended. I will note that this was not
2 with you, Mr. Lipparelli, this was with a different
3 hearing officer at the time.

4 A full hearing on that Complaint took
5 place on April 13, 2023.

6 Later that year after some, I guess,
7 logistical things, we finally got him to get in
8 front of the Board, and they adjudicated his matter
9 on December 1, 2023. The Board ordered him to --
10 even though the IC was asking for a much higher
11 penalty of revocation for several years, the Board
12 did not do that.

13 They more or less gave him time served,
14 because he had been suspended for a year at that
15 point, approximately a year, and he was suspended
16 for just a few more weeks, if my recollection is
17 correct, and then given another six months, I think,
18 to pay \$7,499.20, which is at issue today, it's
19 still an issue today. Also that he was to do
20 something equivalent to PACE, because that was
21 becoming a problem, apparently, so he enrolled in
22 the CPEP program, C-P-E-P.

23 He was supposed to have all that done by
24 June of 2024. The date's a little unclear. The
25 order says six months after the order, and then

1 there's some things that you'll see in here that say
2 that it was supposed to be done by a certain date in
3 June. But either way, the IC decided not to suspend
4 him until September of 2024.

5 So really, again, of no consequence are
6 those exact dates in June because they gave him
7 another three months to try and comply, and he still
8 didn't do it.

9 His request to modify terms -- so he
10 actually did not do any of the things he was
11 supposed to do.

12 You'll see that there -- today we'll
13 present some evidence that it appears he did
14 complete -- I guess, depending on how you define
15 complete -- the CPEP program or the CPEP evaluation,
16 but that he didn't pay them any of their money. So
17 they're not going to release a report to the IC, to
18 this staff of this Board until he does, and he has
19 not done that. He also has not paid the \$7,499.20,
20 which he had until June to do.

21 He also requested to be in front of the
22 Board at a regularly scheduled Board meeting, which
23 he successfully did in March of this year. He did
24 appear March 7, 2025, in front of the Board, where
25 he asked for a modification of his -- of the cost.

1 He had not paid the \$7,499.20, but he asked it to be
2 completely erased, and they denied that.

3 As of now, he still owes that, and he has
4 not paid it to this point. You'll see some evidence
5 to that.

6 Back to this immediate -- why we're here
7 immediately, the Investigative Committee -- taking a
8 step back -- issued a suspension of Dr. Siems'
9 license to practice medicine on September 16, 2024.

10 Mr. Lipparelli, you were part of that. We
11 personally served it to him on September 17, 2024.

12 The show cause hearing was held on
13 October 18, 2024, wherein in the IC met its burden
14 and Dr. Siems remain suspended and still does to
15 this day.

16 The testimony and evidence that will be
17 presented today will establish that Dr. Siems
18 knowingly or willfully violated a Board order.

19 A formal complaint against him was served
20 to him on October 9, 2024. From earlier offer of
21 proof, it's now been established that he is in
22 receipt of that Complaint.

23 The evidence that will be presented today
24 will show that Dr. Siems has had ample notice and
25 opportunity to comply with the terms of the Board's

1 order.

2 John LaRue, who is seated here today,
3 Deputy Chief of Investigations and Compliance
4 Officer, sent a compliance letter to Dr. Siems to
5 reiterate the terms and timelines of this Board's
6 order. You'll see that in the exhibits.

7 This letter was sent by first class mail
8 to him, and the Board received a return receipt.
9 This is also -- it was also accompanied by the
10 Findings of Facts and Conclusions of Law following
11 the December 1, 2023, Board meeting.

12 It's also important to note that Dr. Siems
13 could have looked up and printed his Findings of
14 Facts and Conclusions of Law on the Board's website,
15 should he have ever had a question. He could have
16 called us too; always happy to help him.

17 So all of this evidence will demonstrate
18 that he knowingly or willfully failed to comply with
19 the Board order pursuant to NRS 630.3065, Subsection
20 2, Subsection A.

21 Thank you.

22 HEARING OFFICER LIPPARELLI: Thank you,
23 Mr. White.

24 I'll note for the record that Ms. LaRue's
25 present. Let's have her sworn in.

1 (The oath was administered.)

2 HEARING OFFICER LIPPARELLI: Thank you.

3 Mr. White?

4 MR. WHITE: Thank you.

5 DIRECT EXAMINATION

6 BY MR. WHITE:

7 Q. Ms. LaRue, could you please spell your
8 first and last name for the record.

9 A. Johnna LaRue, J-O-H-N-N-A, L-A, capital,
10 R-U-E.

11 Q. And, Ms. LaRue, where do you work?

12 A. Nevada State Board of Medical Examiners.

13 Q. In what capacity do you work for the
14 Nevada State Board of Medical Examiners?

15 A. As deputy chief of investigations and the
16 compliance officer.

17 Q. And how long have you worked for the
18 Nevada State Board of Medical Examiners?

19 A. Nineteen years.

20 Q. And if you can recall, how long have you
21 been the deputy chief?

22 A. Four years.

23 Q. And compliance officer?

24 A. I can't do the math. Since 2009, when I
25 became the compliance officer.

1 Q. Sixteen years?

2 A. Yeah. Roughly.

3 Q. So we're here today for a hearing to
4 present evidence so that the Board can determine if
5 Dr. Siems violated the Medical Practice Act.

6 Do you understand that?

7 A. Yes.

8 Q. Okay. As the compliance officer, are you
9 tasked with keeping track of whether licensees
10 comply with Board orders?

11 A. Yes.

12 Q. Okay. I want to draw your attention --
13 you have a binder in front of you with some
14 exhibits, I'm gonna draw your attention to that.
15 Okay?

16 A. Yes.

17 Q. I'd like you to take a moment to look --
18 and don't read it out loud, just look at Exhibit 1
19 for a moment and look up when you're finished.

20 A. (Witness complied.)

21 Q. Are you familiar with Exhibit 1?

22 A. Yes.

23 Q. If you can tell us, what is that?

24 A. This is the Findings of Fact, Conclusions
25 of Law, and Order for Dr. Siems for case 23-13009-1.

1 Q. If you can see, it's kind of like -- can
2 you see that it was filed, it's file-stamped?

3 A. Yeah. December 19, 2023, is the file
4 stamp.

5 Q. Have you seen findings of facts,
6 conclusions of law, and orders before in your
7 position?

8 A. Yes.

9 Q. Do you mail these to the respondent once
10 they're drafted?

11 A. I do.

12 Q. And you don't draft these, do you?

13 A. I do not.

14 Q. But you get them after they've been
15 drafted and send them out?

16 A. Yes. After it's been filed in and it's
17 officially part of the Board order, I mail them out
18 with my compliance letter.

19 Q. Okay. Just so clear, I'd like you to turn
20 to Exhibit 3 for a moment.

21 A. Um-hmm.

22 Q. Is that -- are you familiar with what
23 Exhibit 3 is?

24 A. Yes.

25 Q. Okay. And what is Exhibit 3?

1 A. This is my Proof of Service that the
2 Findings of fact, Conclusions of Law, and Order, the
3 public reprimand, and the compliance letter were
4 mailed and received to the respondent.

5 MR. WHITE: Okay. Did you get all that,
6 court reporter?

7 THE REPORTER: Yes.

8 BY MR. WHITE:

9 Q. And we haven't gotten to the other ones
10 yet, but we do have Findings of Facts, Conclusions
11 of Law, and Order that were sent to him and we have
12 a return receipt.

13 Is that correct?

14 A. Correct.

15 Q. Okay. So he did get this?

16 A. He did.

17 Q. I'd like you to turn to -- go back to
18 Exhibit 1 and turn to page 6.

19 HEARING OFFICER LIPPARELLI: Page 6?

20 MR. WHITE: Yeah. NSBME page 6.

21 THE WITNESS: Okay.

22 BY MR. WHITE:

23 Q. In Paragraph 5 there, do you see a number
24 there of dollars?

25 A. Yes.

1 Q. Okay. And what is that amount?

2 A. \$7,499.20.

3 Q. And when was that to be paid?

4 A. Within six months of service of the order.

5 Q. And the service of the order, was what
6 date?

7 A. It was signed for on December 26, 2023.

8 Q. So we could say at least the latest date,
9 possibly, would be June 26th of 2024 that this money
10 was due?

11 A. Correct.

12 Q. Have you ever received any money?

13 A. No.

14 Q. Okay. Or -- I'm sorry -- you don't really
15 receive the money, do you?

16 A. I don't. I receive a receipt that the
17 money's been paid.

18 Q. Okay. And that comes from a different
19 department in this office, correct?

20 A. Correct. It comes from the finance
21 department.

22 Q. Have you received any receipt that the
23 money has been paid?

24 A. No.

25 MR. WHITE: At this time, I'd like to move

1 to admit Exhibit 1.

2 HEARING OFFICER LIPPARELLI: There are no
3 objections. The exhibit is admitted.

4 (IC's Exhibit 1 admitted.)

5 BY MR. WHITE:

6 Q. Please turn to Exhibit 2. You've had a
7 chance to look at it?

8 A. Yeah.

9 Q. Okay. Are you familiar with Exhibit 2?

10 A. Yes.

11 Q. And what is Exhibit 2?

12 A. This is my compliance letter.

13 Q. Okay. When you say your compliance
14 letters, this is something you wrote?

15 A. Yes. This is something that I draft as
16 the compliance officer that accompanies the
17 disciplinary action documents and public reprimand.

18 Q. So if we go back to Exhibit 3, Proof of
19 Service, is the compliance letter one of the things
20 that were sent to him and was accompanied by a proof
21 of service?

22 A. Yes.

23 Q. So we know he received this due to that
24 return receipt. Is that correct --

25 A. Yes.

1 Q. -- in Exhibit 3?

2 A. Yes. He would have received.

3 Q. Okay. And it is -- who is it addressed
4 to?

5 A. Dr. Jon Siems.

6 Q. And just so we can get some procedural
7 background as to what you do, there's a date on this
8 of December 19, 2023, do you see that?

9 A. Yes.

10 Q. Okay. So the Board meeting, I think, was
11 December 1 of 2023?

12 A. Close. It's somewhere in the first week
13 of December. The first Friday.

14 Q. Okay.

15 A. Yes.

16 Q. Is it fair to say that you wait for other
17 things to be drafted, like the findings of fact,
18 conclusions of law, and then you -- at some point
19 you're drafting this compliance letter?

20 Is that correct?

21 A. Yes. My procedure is once the
22 disciplinary documents been received and filed in,
23 then I will draft my letter to accompany that, which
24 is a breakdown of all of the Board orders,
25 basically. It makes it a little easier to

1 comprehend.

2 Then it's inclusive with that disciplinary
3 document and the public reprimand, if a public
4 reprimand was issued.

5 Q. And I think -- let's get to that too.
6 Let's go to page 19 of Exhibit 2. It's the second
7 page of this exhibit.

8 A. Okay.

9 Q. Are there costs that match the cost we
10 just talked about in the Findings of Facts,
11 Conclusions of Law, and Order?

12 A. Yes. No. 1, \$7,499.20.

13 Q. And you have it as due June 1, 2024?

14 A. Correct.

15 Q. Okay. And even if -- again, did we
16 suspend him right after, like on June 2, did we do
17 that?

18 A. No. No. And my date was calculated
19 six months from the date of the Board meeting, which
20 was the date that the adjudication was proved
21 based -- instead of the date that it was received.

22 Q. Okay.

23 A. But no, he was not suspended until, I
24 believe, September.

25 Q. And also it says here, on No. 2, he's

1 supposed to do something else. What does that say
2 there?

3 A. He was supposed to attend the University
4 of San Diego's Physician Assessment and Competency
5 Evaluation, which is the PACE program. Again, the
6 date is the same, it's six months from the date of
7 the actual meeting of the Board.

8 Q. And to your knowledge, has he done -- has
9 he paid the \$7,499.20 costs?

10 A. No. I don't have a receipt for payment.

11 MR. WHITE: I'd like to move to admit
12 Exhibit 2.

13 HEARING OFFICER LIPPARELLI: There are no
14 objections. Exhibit 2 is admitted.

15 (IC's Exhibit 2 admitted.)

16 MR. WHITE: And since we've been using
17 Exhibit 3 already and it's been shown that Ms. LaRue
18 is the one who submitted these proofs of service and
19 require the return receipt, I also moved to admit
20 Exhibit 3.

21 HEARING OFFICER LIPPARELLI: There are no
22 objections. Exhibit 3 is admitted with the
23 foundation provided by Ms. LaRue.

24 (IC's Exhibit 3 admitted.)
25

1 BY MR. WHITE:

2 Q. Ms. LaRue, please turn to Exhibit 4.

3 A. Okay.

4 Q. Are you familiar with Exhibit 4?

5 A. Yes.

6 Q. And what is that?

7 A. This is an order denying Dr. Siems'
8 request to modify the terms of the Findings of Fact,
9 Conclusions of Law, and Order.

10 Q. If you can remember, did you have any
11 discussions or any kind of correspondence with Dr.
12 Siems regarding him getting onto the Board meeting
13 agenda?

14 A. Yeah, he -- yes.

15 He had asked me how to go about getting
16 on, and I gave him the direction that he needed to
17 request it in writing, to the executive director, to
18 have his name put on the Board agenda.

19 Q. And were you present at the Board meeting
20 in March of this year, 2025?

21 A. I was.

22 Q. And was he successful in getting onto the
23 agenda?

24 A. He did. He appeared.

25 Q. Now, I know that you -- do you see these

1 emails that are attached to the denial of his
2 request?

3 A. Yeah.

4 Q. Okay. Are those addressed to you?

5 A. No, they are not.

6 Q. In fact, I'll submit that they are
7 addressed -- there's some emails that are addressed
8 to and from Mr. Lipparelli, Dr. Jon Siems, and
9 myself and Meg Byrd.

10 Is that correct?

11 A. Correct.

12 Q. Okay. I just want you to turn to page --
13 and as a compliance officer, would you want to be
14 aware of this -- well, I guess it's just kind of a
15 two-part question.

16 Would you want to be aware of that the
17 Board denied his request?

18 A. Yes, I would need to be aware of that.

19 Q. To deny his request to modify his terms?

20 A. Yes.

21 Q. Okay.

22 A. Correct.

23 Q. Also, would you want to know that there's
24 an email in here that talks about whether he's going
25 to participate in hearings?

1 A. Yes. He's supposed to communicate with me
2 during the course of his compliance with the Board.

3 Q. Okay.

4 A. But he does not.

5 Q. If you look at page 27 of Exhibit 4, can
6 you see there that he -- it looks like he is not --
7 he's willingly chose not to participate in any
8 further Board activities or hearings.

9 Can you see that?

10 A. Yes.

11 Q. Okay. As compliance officer, does that
12 concern you?

13 A. Yeah, because it tells me that he's not
14 going to pay and he's not going to participate.
15 He's not going to complete any of the terms that we
16 required of him initially.

17 Q. And you've had a chance to review this
18 prior to this -- prior to me asking you questions?

19 A. Yes.

20 Q. Okay. Is there anything in here that it's
21 not purported to be what it is? I mean, do you see
22 this as pretty reliable evidence in your estimation?

23 A. Yeah, it's pretty clear-cut.

24 Q. That these are just emails between, like I
25 said before, Mr. Lipparelli, myself, Ms. Byrd, and

1 Dr. Siems?

2 A. Yeah.

3 Q. Okay.

4 MR. WHITE: I would move to admit
5 Exhibit 4. And if we need further offer of proof,
6 Mr. Lipparelli, I have Meg Byrd sitting next to me
7 who was involved in this also. She's copied in all
8 these.

9 HEARING OFFICER LIPPARELLI: Ms. Byrd,
10 let's consider you still under oath. You've heard
11 the testimony of Ms. LaRue, is there anything about
12 what she said that seems inaccurate to you?

13 MS. BYRD: No.

14 HEARING OFFICER LIPPARELLI: Do you
15 confirm what she says about the origin of these
16 emails?

17 MS. BYRD: I do.

18 HEARING OFFICER LIPPARELLI: Thank you.
19 Exhibit 4 is admitted.

20 (IC's Exhibit 4 admitted.)

21 MR. WHITE: Thank you.

22 BY MR. WHITE:

23 Q. Ms. LaRue, I'd like you to turn to
24 Exhibit 5.

25 A. Um-hmm.

1 Q. Are you familiar with what's contained in
2 Exhibit 5?

3 A. Yes.

4 Q. And what are we looking at in Exhibit 5?

5 A. These are email communications between
6 myself and Amanda Besmanoff, who is the
7 representative from the CPEP organization, in
8 regards to Dr. Siems' assessment.

9 Q. Okay. And did you make this a part of
10 your investigative file on this matter as compliance
11 officer due to the contents of those emails?

12 A. Yes.

13 Q. Let's get into a little bit of the
14 contents of the emails.

15 Who contacted who first, if we can -- if
16 you remember?

17 A. In the beginning it would have been myself
18 who contacted Amanda to set up the assessment, and
19 then she was in contact with Dr. Siems. I was kept
20 in the loop for most of it, for the conversations.

21 They set up an assessment date for him.
22 From what I understand, he went through the
23 assessment. But when I asked for results, Ms.
24 Besmanoff told me that they would not provide me
25 with results because Dr. Siems had neglected to pay

1 the balance of his owing to the CPEP program. I do
2 believe they do it on a payment plan.

3 So we never got results. I communicated
4 with her and then --

5 Q. Let me stop you there for a second.

6 Going back to -- you said you first
7 started -- you first contacted Ms. Besmanoff
8 probably to -- would it be safe to say or would it
9 be fair to say that it was to facilitate the
10 communication between Dr. Siems and help him sign up
11 for CPEP?

12 A. Yes. My job is to contact them to find
13 out if they have an appropriate person that could
14 actually do an assessment based on his specialty,
15 because he's an ophthalmologist and not every
16 program offers those types of evaluations. That was
17 one of the issues that came up with PACE, was that
18 they didn't have someone who could do that
19 assessment.

20 So my communication with Amanda was to
21 determine whether or not -- and there was
22 communication back and forth about what type of
23 assessment they wanted.

24 Dr. Siems was insistent that it was to be
25 very specific and the Board was not -- the Board

1 wanted an overall general assessment of his practice
2 as an ophthalmologist, not anything specific. So
3 that was where my communication started.

4 And then she began her communication with
5 him to set up the assessment, to get the payments,
6 and do all the contracting. We stay out of that
7 portion.

8 Q. Okay.

9 A. But I'm kept in the loop just to know what
10 the dates are that he attended, whether or not I'm
11 going to get results, and when. Those kinds of
12 things I get communications on.

13 Q. If you turn to page 30, it's a very short
14 email there from -- looks like it's from Ms.
15 Besmanoff to you?

16 A. Um-hmm.

17 Q. That came through -- when -- actually,
18 I'll just ask you. It's addressed to you, it looks
19 like, what day did she send that to you?

20 A. She sent me a response to my email on
21 February 4.

22 Q. Okay. This year?

23 A. 2025, yes.

24 Q. And what does she say there?

25 A. She said that Dr. Siems had not paid the

1 balance for the assessment completed on October 14th
2 and 15th, 2024. Per their policy, they will not be
3 sending the results of the assessment without the
4 payment in full.

5 Q. And this is in response to an email you
6 sent to her, you said?

7 A. Correct. I sent an email to her on
8 January 30th inquiring about the results of the
9 assessment.

10 Q. Okay. Oh, I see right below --

11 A. It's on that same page, right at the
12 bottom of that same page.

13 Q. Thank you.

14 A. My email to her asking for the results
15 because we hadn't got them. I knew that he had gone
16 through the assessment in October, but I didn't
17 never get any results.

18 I wanted to have that available because I
19 also was aware that he was going to appear before
20 the Board in March, so I wanted to be prepared for
21 that.

22 Q. Okay. So this was all in preparation --
23 we were about a month out from the Board meeting
24 that you knew he was going to be --

25 A. Correct.

1 Q. So either way, you wanted to be able to
2 tell them --

3 A. That he'd complied.

4 Q. -- that he either complied and completed
5 it and you had the results and here's the report,
6 and we -- sorry we didn't get it to you sooner, but
7 here, Board, this is a report from CPEP. Or to tell
8 them that there is no report because he hasn't paid
9 the balance.

10 Is that correct?

11 A. Correct. That's part of my job is to make
12 sure that they have all the information available to
13 them prior to the appearance.

14 Q. And is that part of a -- what do we call
15 that, like a board packet so that they have all the
16 information in front of them?

17 A. Yes. When somebody requests an
18 appearance, we provide the Board with as much
19 information so that they can be aware of what's
20 going to -- what kind of interaction they're going
21 to have with the respondent when he asks to appear.

22 Q. So based on this email, you weren't able
23 to provide them with any hard copy of the assessment
24 that was done or any kind of report because he had
25 not paid the balance.

1 Is that correct?

2 A. Correct. They won't provide it to me
3 until he does.

4 Q. Okay. And just -- and let's go to page 32
5 really quick. You had -- is this -- let's see.

6 Do you see the email at the top of the
7 page?

8 A. Yeah.

9 Q. Who is that from and who is it too, can
10 you tell?

11 A. Yeah. This is from -- if you look on page
12 31, it's from Amanda Besmanoff. It's dated
13 November 15, 2024, and she sends that to Dr. Siems.

14 Q. Were you copied in it?

15 A. No, I was not copied into this one
16 directly. She forwarded it to me afterwards.

17 Q. That's what I wanted to know.

18 A. Yeah.

19 Q. So that's how you got this email?

20 A. Correct. She forwarded it to me.

21 Q. And if you can tell me what -- you can
22 just read it, if you could, the email that went to
23 Dr. Siems at the top of page 32.

24 A. Okay.

25 "I am reaching out as a follow-up to

1 the email on October 23rd. As of
2 today, we have not received the
3 payment for the balance of \$5,500 for
4 the assessment. Please be aware that
5 we will not release the final report
6 without payment of your outstanding
7 balance.

8 "Please contact me with any
9 questions."

10 Q. Okay. Pretty clear, right?

11 A. Yeah.

12 MR. WHITE: I would move to admit
13 Exhibit 5.

14 HEARING OFFICER LIPPARELLI: There are no
15 objections. Exhibit 5 is admitted.

16 (IC's Exhibit 5 admitted.)

17 BY MR. WHITE:

18 Q. And, finally, Exhibit 6. Do you see that?

19 A. Yeah.

20 Q. Okay. And you've had a moment to look at
21 it?

22 A. Yeah.

23 Q. Okay. Are you familiar with Exhibit 6?

24 A. Yes.

25 Q. What is Exhibit 6?

1 A. This is a balance statement for Dr. Siems.

2 Q. Okay. To be fair, you don't usually get
3 these as part of your compliance case file, do you?

4 A. It's not a regular part of my case file,
5 no.

6 Q. But you have asked for them in the past.
7 Is that correct?

8 A. Yes. Usually these are provided to me
9 when someone doesn't pay.

10 It's my job to track the -- even though I
11 don't collect the money, it's my job as a compliance
12 officer to track whether or not it's been paid or
13 not so then I know whether or not to release the
14 respondent from the compliance itself.

15 If someone has not paid, I'm provided with
16 the -- with this balance sheet statement.

17 Q. And usually you get -- is it true that you
18 usually get receipts if they pay?

19 A. Yes. Once it -- once a payment is made, I
20 get sent a copy of the receipt so that I can track
21 it.

22 And I also keep my own log as well of who
23 paid and who didn't so that I can track whether or
24 not they're completed with all the terms of their
25 agreements.

1 Q. And it's important to know that because,
2 at some point, if they do comply with everything,
3 they need to be released off the case.

4 Is that correct?

5 A. Correct. And that would be my job is to
6 release them once I get proof of everything
7 completed.

8 Q. And so, according to this statement, who
9 would normally compile this information and print
10 this out?

11 A. This comes from the finance manager.

12 Q. Okay. And that's upstairs in our office
13 here?

14 A. Correct.

15 Q. Okay. And do you know the two people --
16 if there are one or two people that do this, who are
17 they?

18 A. Donya Jenkins is the finance manager, and
19 Hannah -- I forgot her last name. I'm sorry, her
20 last name has completely escaped me right this
21 minute. She's the finance manager's assistant.

22 Q. We got Hannah?

23 A. Hannah.

24 Q. Okay.

25 THE REPORTER: And Donya?

1 THE WITNESS: Donya Jenkins, D-O-N-Y-A,
2 her first name, and her last name is J-E-N-K-I-N-S.

3 THE REPORTER: Thank you.

4 THE WITNESS: It's horrible. I cannot
5 remember Hannah's last name. Sorry. That's
6 terrible.

7 Nicolosi, N-I-C-O-L-O-S-I.

8 THE REPORTER: Thank you.

9 HEARING OFFICER LIPPARELLI: I'll just
10 state for the record that Ms. Byrd refreshed Ms.
11 LaRue's recollection of Hannah's name by showing her
12 a document on her phone.

13 MR. WHITE: Okay.

14 BY MR. WHITE:

15 Q. Now you're in -- are you in communication
16 with them when it comes to payments of costs?

17 A. Yes, I'm in the loop.

18 Q. As in -- as we have in this case?

19 A. Correct. Yes, I'm always in the loop.
20 Donya keeps me refreshed about what's going on
21 financial-wise.

22 MR. WHITE: I move to admit Exhibit 6.

23 HEARING OFFICER LIPPARELLI: Exhibit 6 is
24 admitted. There are no objections.

25 (IC's Exhibit 6 admitted.)

1 MR. WHITE: And I have no further
2 questions for Ms. LaRue.

3 HEARING OFFICER LIPPARELLI: I have just
4 one.

5 EXAMINATION BY THE HEARING OFFICER
6 BY HEARING OFFICER LIPPARELLI:

7 Q. Miss LaRue, you testified about the
8 results in the reports that you get from these
9 training program companies. You testified that you
10 did not receive them because the payment from the
11 respondent was not made to the company.

12 Can you just explain a little bit about
13 what is in a typical report from a training company,
14 what kinds of information is in that thing?

15 A. Okay. So what they'll assess him for is
16 his knowledge of his specialty, whether or not he
17 does surgeries, they'll assess whether or not he's
18 competent to perform those types of surgeries,
19 depending on what type of specialty they have.

20 It will give also an evaluation of his
21 person, like mentally, physically, whether he's, you
22 know, competent to perform his tasks as an
23 ophthalmologist.

24 And then they all make recommendations
25 about whether or not he needs further training, if

1 he needs, like, a proctor in his office or if he
2 needs, you know, additional CMEs or if he needs some
3 kind of an assessment like a more in-depth
4 neurological type of assessment.

5 Those kinds of things are also included in
6 the reports that we get.

7 Q. What's the average length of such a
8 report? Is it 2 or 3 pages, 10, 20?

9 A. Five is usually the maximum, depending on
10 how in depth -- some programs, where there are three
11 or four days' worth of assessments, the reports will
12 be 10 pages.

13 But CPEP was -- their program is not
14 that -- this program was not that specifically in
15 depth. I'd estimate it's probably between 3 and 5
16 pages, the assessment that we would have gotten.

17 Q. If you have those reports and you're
18 assisting the Board in making decisions about
19 compliance, do you present those to the Board, the
20 reports themselves?

21 A. Yes. If the report -- yes. If the report
22 had been completed and I had received it, upon his
23 appearance, they would have gotten a copy of it so
24 that they could read the results of the assessment.

25 Q. Just to confirm, that didn't happen here

1 because the company declined to send you the report
2 due to nonpayment?

3 A. That's correct. They won't send me a copy
4 of it until he pays.

5 Q. Okay. Thank you.

6 HEARING OFFICER LIPPARELLI: Mr. White,
7 does that spur any more questions for you?

8 MR. WHITE: No. But that was a good
9 question. Thank you, Mr. Lipparelli.

10 HEARING OFFICER LIPPARELLI: All right.
11 Mr. White, I think we've gone through all of your
12 exhibits and Ms. LaRue's your only the witness.

13 If you'd like to make a closing argument,
14 you may.

15 THE WITNESS: Am I good?

16 HEARING OFFICER LIPPARELLI: And Ms. LaRue
17 is excused.

18 MR. WHITE: I don't see Dr. Siems here, he
19 still hasn't appeared, so I don't think there is any
20 cross-examination.

21 THE WITNESS: No. I highly doubt he wants
22 to talk to me.

23 MR. WHITE: All right.

24 THE WITNESS: Thank you very much.

25 MR. WHITE: I do have a short closing

1 argument.

2 HEARING OFFICER LIPPARELLI: Very good.

3 IC'S CLOSING STATEMENT

4 MR. WHITE: On behalf of the Investigative
5 Committee, thank you, Mr. Lipparelli, Madam Court
6 Reporter, and Ms. LaRue for her time.

7 As I mentioned just a few minutes ago in
8 opening statement, we're here to determine if
9 Dr. Siems committed and knowing willful failure to
10 comply with a Board order pursuant to NRS 630.3065,
11 Subsection 2, Subsection A.

12 You heard solely from Ms. Johnna LaRue,
13 Chief Deputy Investigator and Compliance Officer for
14 the Nevada State Board of Medical Examiners. She
15 explained that she followed all the protocols to
16 mail everything that Dr. Siems needed in order to
17 understand what was required of him.

18 Specifically, obviously in Exhibit 3,
19 there's proof of service that she mailed the
20 Findings of Facts, Conclusion of Law, and Order, a
21 public reprimand, and a compliance letter, which
22 detailed and broke down exactly what he needed to
23 get done. And it didn't happen.

24 She's also was, as you heard, in
25 communication with CPEP. She started out by helping

1 Dr. Siems in facilitating that relationship with
2 CPEP so that he could be assessed correctly for his
3 specialty as an ophthalmologist. She did that.

4 Then it appears, from the emails that we
5 can see from Ms. Besmanoff, that he did actually get
6 assessed but then didn't complete the program
7 because he didn't submit his final payment of
8 \$5,500.

9 We were not able to present the Board --
10 Ms. LaRue was not able to present the Board with a
11 report that they could look at at the March board
12 meeting.

13 And also he has not paid the \$7,499.20,
14 that has been clearly established through the
15 testimony of Ms. LaRue. She's told him numerous
16 times what he needed to do. Then he even was given
17 an opportunity to show up at the Board meeting,
18 which he did, they denied his request to have it
19 modified to down to zero. He still owes it, and he
20 hasn't paid it to this date.

21 I don't think there's any -- I think it's
22 pretty clear that Dr. Siems knew of the deadlines
23 and even was given some extra time to complete all
24 of what he needed to do, which really comes down to
25 two things, which is, really, what we're here for

1 today, pay the money of \$7,499.20, and, obviously,
2 the Board would like to see what that CPEP program,
3 what that report would present to them so they could
4 know a little bit more about Dr. Siems. He did not
5 do those things.

6 On behalf of the Investigative Committee,
7 we submit we have proven by a preponderance of the
8 evidence that Dr. Siems violated NRS 630.3065,
9 Subsection 2, Subsection A, by knowingly and
10 willfully violating a Board order.

11 Thank you.

12 HEARING OFFICER LIPPARELLI: Thank you,
13 Mr. White.

14 One other procedural matter. The Board
15 entertained Dr. Siems' request to modify the terms
16 of the earlier order in this case and denied that
17 request after the March 2025 meeting.

18 MR. WHITE: Yes.

19 HEARING OFFICER LIPPARELLI: When
20 petitions for judicial review are filed challenging
21 the decisions of the Board, are you made aware of
22 the filing of those petitions as the IC's attorney
23 in the case?

24 MR. WHITE: Yes.

25 HEARING OFFICER LIPPARELLI: Are you aware

1 that any petition for judicial review has been filed
2 by Dr. Siems or any representative of Dr. Siems
3 challenging the Board's denial of his petition for
4 modification?

5 MR. WHITE: I'm not aware of any right
6 now, no. No.

7 And this wouldn't -- I suppose this could
8 be an appealable order, or it could be included,
9 maybe, in what might happen later on in this matter,
10 depending on what you find, Mr. Lipparelli.

11 HEARING OFFICER LIPPARELLI: My question
12 was whether you're aware of the petition challenging
13 the Board's order?

14 MR. WHITE: I'm not aware of anything, no.

15 HEARING OFFICER LIPPARELLI: Thank you.

16 There being nothing further, substantively
17 or procedurally, this matter is adjourned.

18 (Hearing concluded at 10:02 a.m.)
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1 STATE OF NEVADA)
) ss.
2 COUNTY OF WASHOE)
3

4 I, BRANDI ANN VIANNEY SMITH, do hereby
5 certify:

6 That I was present on July 29, 2025, for
7 the hearing at the Nevada State Board of Medical
8 Examiners, and took verbatim notes of the
9 proceedings entitled herein, and thereafter
10 transcribed the same into typewriting as herein
11 appears.

12 That the foregoing transcript is a full,
13 true, and correct transcription of my notes of said
14 proceedings consisting of 49 pages, inclusive.

15 DATED: At Reno, Nevada, this 29th day of
16 July, 2025.

17
18
19 

20 BRANDI ANN VIANNEY SMITH
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25

4

EXHIBIT 1

EXHIBIT 1

BEFORE THE BOARD OF MEDICAL EXAMINERS
OF THE STATE OF NEVADA

* * * * *

In the Matter of Charges and Complaint
Against
JON LANE SIEMS, M.D.,
Respondent.

Case No. 23-13009-1

FILED

DEC 19 2023

NEVADA STATE BOARD OF
MEDICAL EXAMINERS

By: _____

FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER

This case was presented for adjudication and decision before the Nevada State Board of Medical Examiners (Board), during a regularly scheduled Board meeting on December 1, 2023, at 8:40 a.m., (Pacific Standard Time), located at 325 E. Warm Springs Road, Suite 225, Las Vegas, NV 89119, video conferenced to 9600 Gateway Drive, Reno, NV 89521. Jon Lane Siems, M.D., (Respondent), was properly served with a notice of the adjudication, including the date, time and location, and was present and not represented by counsel. The adjudicating members of the Board participating in these Findings of Fact, Conclusions of Law, and Order (FOFCOL) were: Nick M. Spirtos M.D., F.A.C.O.G., Ms. Maggie Arias-Petrel, Ms. Pamela Beal, Irwin B. Simon, M.D., FACS, Joseph Olivarez, P.A.-C, and Jason B. Farnsworth, RRT, MBA. Chricy E. Harris, Esq., Deputy Attorney General, served as legal counsel to the Board.

The Board, having received and read the Complaint and exhibits admitted at the hearing of this matter, the Hearing Officer's Findings and Recommendations¹, and the transcript of the hearing, made its decision pursuant to its authority and provisions of the Nevada Revised Statutes (NRS) Chapter 630 and Nevada Administrative Code (NAC) Chapter 630 (collectively, the Medical Practice Act), NRS Chapter 622A, and NRS Chapter 233B, as applicable.

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¹ The Hearing Officer's Findings and Recommendations were prepared by Charles Woodman, Esq., who was appointed as Hearing Officer under NRS 630.106 in this matter and presided over the hearing.

1 The Board, after due consideration of the record, evidence, and law, and being fully
2 advised in the premises, makes its FINDINGS OF FACT, CONCLUSIONS OF LAW, AND
3 ORDER in this matter, as follows:

4 **FINDINGS OF FACT**

5 **I.**

6 Respondent held an Active-Probation license to practice medicine in the State of Nevada
7 issued by the Board from December 3, 2021, until December 27, 2022. An Order for Summary
8 Suspension of Respondent's license was filed on December 27, 2022, served on December 27,
9 2022, which immediately suspended Respondent's license until a show cause hearing could be
10 held to determine if his medical license would be reinstated during the regular hearing process.
11 On February 2, 2023, a show cause hearing was held at the office of the Nevada State Board of
12 Medical Examiners and the Hearing Officer entered his order during the hearing that continued
13 the suspension of Respondent's medical license throughout the hearing process.

14 **II.**

15 On January 30, 2022, the Investigative Committee filed its formal Complaint in
16 Case No. 23-13009-1, alleging Respondent violated the Medical Practice Act. Respondent was
17 personally served with the Complaint by a USPS Certified mail on March 3, 2023. The Complaint
18 alleges as follows: Count I, a violation of NRS 630.3065(2)(a) Knowing or Willful Failure to
19 Comply with a Board Order.

20 Respondent did not answer or file a response to the allegations set forth in the Complaint.
21 Pursuant to NAC 630.460(4), the allegations of the Complaint are deemed generally denied if an
22 answer is not filed.

23 **III.**

24 An Early Case Conference was held at the conclusion of the show cause hearing.
25 Donald K. White, Senior Deputy General Counsel was present on behalf of the Investigative
26 Committee (IC) of the Board, with Hearing Officer Charles Woodman, Esq., Respondent
27 participated in the Early Case Conference and show cause hearing but was not represented by an
28 attorney.

1 In compliance with NAC 630.465 an Order After Prehearing and Order Confirming
2 Hearing Date was filed March 1, 2023, setting dates for the formal hearing calendared to
3 commence on April 13, 2023, at the Office of the Nevada State Board of Medical Examiners,
4 9600 Gateway Drive, Reno, Nevada 89521 video conferenced to the Board's Las Vegas Office,
5 located at 325 E. Warm Springs Road, Suite 225, Las Vegas, NV 89119. All documents intended
6 to be introduced as evidence in the case were to be exchanged on or before March 13, 2023.
7 Respondent was served this Order via USPS Certified Mail on March 6, 2023, at his address of
8 record.

9 IV.

10 On April 13, 2023, as duly noticed and ordered, a hearing was held before the Hearing
11 Officer to receive evidence and to hear arguments of both parties. Legal counsel for the
12 Investigative Committee, Donald K. White, Senior Deputy General Counsel appeared, along with
13 Respondent, without legal counsel, and Hearing Officer Charles Woodman, Esq. Mr. White
14 presented the IC's case, offered documentary evidence, and presented witness testimony. Exhibits
15 one (1) through (4) from the IC and several of Respondent's exhibits, were marked and admitted
16 into evidence.

17 The Hearing Officer provided the Synopsis and Analysis of Record, filed May 9, 2023.
18 This matter was scheduled for final adjudication on December 1, 2023, at a regularly scheduled
19 Board meeting.

20 The notice of the adjudication was sent via USPS Certified Mail on October 30, 2023, and
21 was delivered to Respondent on November 3, 2023, at 10:14 a.m.

22 A copy of the adjudication materials along with a copy of the Hearing Officer's Synopsis
23 and Analysis of Record were mailed via Fed Ex 2-Day and were delivered to Respondent's
24 address of record on November 10, 2023.

25 V.

26 Pursuant to NRS 622A.300(5)(a), the Findings and Recommendations of the Hearing
27 Officer are hereby approved by the Board in their entirety, with modification to the discipline, and
28 ///

1 are hereby specifically incorporated and made part of this Order by reference and are attached
2 hereto as **Exhibit 1**.

3 **VI.**

4 In accordance with the Synopsis and Analysis of Record, the Board hereby finds that the
5 count set forth in the Complaint, and as recapitulated in Paragraph II above, have been established
6 by a preponderance of the evidence.

7 **VII.**

8 If any of the foregoing Findings of Fact is more properly deemed a Conclusion of Law, it
9 may be so construed.

10 **CONCLUSIONS OF LAW**

11 **I.**

12 The Board has jurisdiction over Respondent and the Complaint, and an adjudication of this
13 matter by the Board members as set forth herein is proper.

14 **II.**

15 Respondent was timely and properly served with the Complaint, and all notices and orders
16 in advance of the hearing and adjudication thereon, in accordance with NRS and NAC
17 Chapters 630, NRS Chapters 241, 622A and 233B, and all legal requirements of due process.

18 **III.**

19 With respect to the allegations of the Complaint, the Board concludes that Respondent has
20 violated NRS 630.3065(2)(a) Knowing or Willful Failure to comply with a Board Order, as
21 alleged in Count I. Accordingly, Respondent is subject to discipline pursuant to NRS 630.352.

22 **IV.**

23 The Board finds that, pursuant to NRS 622.400, recovery from Respondent of reasonable
24 attorneys' fees and costs incurred by the Board as part of its investigation and disciplinary
25 proceedings against Respondent is appropriate. The Board has reviewed the Investigative
26 Committee's Memorandum of Costs and Disbursements and Attorneys' Fees, and the Board finds
27 them to be the actual fees and costs incurred by the Board as part of its investigative,
28 administrative and disciplinary proceedings against Respondent, and finds them to be reasonable,

1 necessary, and actually incurred based on: (1) the abilities, training, education, experience,
2 professional standing and skill demonstrated by Board staff and attorneys; (2) the character of the
3 work done, its difficulty, its intricacy, its importance, the time and skill required, the responsibility
4 imposed and the prominence and character of the parties where, as in this case, they affected the
5 importance of the litigation; (3) the work actually performed by the Board's attorneys and staff,
6 and the skill, time and attention given to that work; and (4) the product of the work and benefits to
7 the Board and the people of Nevada that were derived therefrom.

8 V.

9 If any of the foregoing Conclusions of Law is more properly deemed a Finding of Fact, it
10 may be so construed.

11 **ORDER**

12 Based upon the foregoing Findings of Fact and Conclusions of Law, and good cause
13 appearing therefore,

14 IT IS HEREBY ORDERED that:

15 1. Respondent has violated the Medical Practice Act, as alleged in the Complaint, as
16 follows: one (1) violation of NRS 630.3065(2)(a), Knowing or Willful Failure to comply with a
17 Board Order.

18 2. Pursuant to NRS 630.352(4)(e), the Board shall administer a written public
19 reprimand to Respondent.

20 3. Respondent's license shall be suspended for a period of one year, from
21 December 28, 2022, to December 27, 2023.² On December 28, 2023, Respondent's license status
22 shall be reinstated to an Active-Probation status.

23 4. Pursuant to NRS 630.352(4)(k), Respondent shall complete at the University of
24 San Diego Physician Assessment and Competency Evaluation Program (PACE), Competency
25 Assessment, or substantially similar assessment by another entity approved by the Board within
26 six (6) months of issuance of this Order. Any aforementioned hours of Continuing Medical
27

28 ² Pursuant to the Board's motion imposing discipline, the one-year suspension imposed upon Respondent shall take into account the time he has been suspended since the Order of Summary Suspension, which was served upon him on December 28, 2022.

1 Education received for attending the program that is substantially related to PACE shall be in
2 addition to the requirements that are regularly imposed upon Respondent as a condition of
3 licensure in the State of Nevada pursuant to NAC 630.153(1).

4 5. Respondent shall reimburse the Board the reasonable and necessary costs and
5 expenses actually incurred in the investigation and prosecution of this case in the amount of seven
6 thousand four hundred and ninety-nine dollars, and twenty cents (\$7,499.20) within six (6) months of
7 service of this Order. The Board, and/or its designee, are granted the authority to collect any and all
8 funds due under this Order.

9 6. Investigation Case Nos. 18-18146, 19-18953, 20-19625, 20-19679, 20-19736, 21-
10 20367, 22-21285, 22-21357, 23-22654, 23-22790, and 23-22844 shall be dismissed with prejudice.

11 IT IS SO ORDERED.

12 DATED this 19th day of December, 2023.

13 NEVADA STATE BOARD OF MEDICAL EXAMINERS

14 By: 
15

16 NICK M. SPIRTOS, M.D., F.A.C.O.G.
17 President of the Board
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CERTIFICATION

I certify that the foregoing is the full and true original **FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER** on file in the office of the Board of Medical Examiners in the matter of **JON LANE SIEMS, M.D.**, Case No. 23-13009-1.

I further certify that Nick M. Spirtos, M.D., F.A.C.O.G., is the President of the Nevada State Board of Medical Examiners and that full force and credit is due to his official acts as such; and that the signature to the foregoing ORDER is the signature of said Nick M. Spirtos, M.D., F.A.C.O.G.

IN WITNESS THEREOF, I have hereunto set my hand in my official capacity as Secretary-Treasurer of the Nevada State Board of Medical Examiners.

DATED this 19th day of December, 2023.

NEVADA STATE BOARD OF MEDICAL EXAMINERS

By: Maggie Arias-Petrel
MAGGIE ARIAS-PETREL
Secretary-Treasurer and Public Member of the Board

EXHIBIT 1

EXHIBIT 1

1 **BEFORE THE BOARD OF MEDICAL EXAMINERS**

2
3 **OF THE STATE OF NEVADA**

FILED

MAY - 9 2023

NEVADA STATE BOARD OF
MEDICAL EXAMINERS

By: _____

4
5
6 In the Matter of Charges and Complaint

Case No.: 23-13009-1

7 Against

(Case No.: 19-13009-2)

8 JON L. SIEMS, M.D.,

9 Respondent.

10
11 **SYNOPSIS AND ANALYSIS OF THE RECORD**

12 Hearing Officer Charles B. Woodman, having heard a formal pre-hearing
13 conference, as well as the formal Hearing of this matter, hereby presents the Nevada State
14 Board of Medical Examiners with his formal Analysis of this case. This Analysis is based
15 upon all evidence adduced at the formal Hearing, this Hearing Officer's findings of facts
16 and conclusions of law, which findings include the credibility of the witnesses who gave
17 evidence.

18 **RELEVANT BACKGROUND**

19 This is a combined case as shown in the caption, whereby the Investigative
20 Committee ("IC") of the Board of Medical Examiners of the State of Nevada ("Board")
21 alleged that Dr. Jon Lane Siems, M.D., ("Dr. Siems") failed to comply with the Settlement
22 Agreement he entered into as resolution to Board Case 19-13009-2. The final page of that
23 Settlement Agreement contains the Board's order mandating compliance with the
24 Agreement. A duly noticed formal hearing of the matter was held before the undersigned
25 Hearing Officer on April 13, 2023 at the Northern Nevada office of the Board in Reno.
26 Mr. Donald K. White, Esq., Senior Deputy General Counsel appeared on behalf of the
27 Board's IC. Dr. Siems appeared via videoconference from the Board's Southern Nevada
28 office representing himself in pro se. The matter was duly recorded by a licensed reporter
and is a matter of public record.

1 The formal Complaint in Board Case 23-13009-1 alleges a single count of
2 Knowing or Willful Failure to Comply with a Board Order, a violation of NRS
3 630.3065(2)(a), which states that:

4 The following acts, among others, constitute grounds for initiating disciplinary
5 action or denying licensure:

6 * * *

7 2. Except as otherwise provided in NRS 630.2672, knowingly or willfully
8 failing to comply with:

9 (a) A regulation, subpoena or order of the Board or a committee designated
10 by the Board to investigate a complaint against a physician;

11 More specifically, the IC alleges at paragraphs 8-9 of the Complaint that:

12 8. Respondent [Dr. Siems] knowingly or willfully failed to comply with
13 an order of the Board when he failed to complete 20 hours of CMEs or the PACE
14 Program by or within the deadline he agreed to with the Board [in Case 19-13009-
15 2].

16 9. Additionally, the Settlement Agreement [in Case 19-13009-2] that
17 Respondent signed and was subsequently approved by the Board clearly states
18 that Respondent agreed to be placed on stayed suspension and that if he violated
19 any terms of the agreement that the IC shall be authorized to immediately suspend
20 Respondent's license to practice medicine in Nevada pending an Order to Show
21 Cause hearing.

22 Accordingly, the two cases are inextricably linked inasmuch as Dr. Siems' alleged
23 violation of the Order at the final page of the Settlement Agreement entered into in Case
24 19-13009-2 makes up the entirety of the basis for Case 23-13009-1. Further, it appears
25 that the Board may determine to take formal action in both such cases.

26 At commencement of the formal Hearing of this matter, Dr. Siems was again
27 advised of his right to be represented by counsel, as this Hearing Officer has so advised
28 him in prior proceedings. The Hearing proceeded with Dr. Siems electing to represent
himself. See Transcript at page 5 ("T.5").

It is noted very significantly here that the Board has already determined that Dr.
Siems "willfully and knowingly violated his Settlement Agreement" via the Board's Order
of Suspension And Notice of Hearing filed December 27, 2022. That Order was issued
summarily based on evidence proffered by the IC. A duly noticed formal Order to Show

1 Cause hearing to determine whether that summary suspension should continue was heard
2 before the undersigned on February 2, 2023, with Dr. Siems in attendance, also
3 representing himself at that time. After that hearing and in light of evidence provided by
4 the IC and by Dr. Siems, this Hearing Officer confirmed the suspension pending further
5 decisions by the Board and pending adjudication of the new complaint in Case 23-13009-
6 1. The April 13 hearing was held to formally adjudicate Case 23-13009-1. At the hearing,
7 the IC's burden was to prove by a preponderance of the evidence that Dr. Siems committed
8 the violation alleged in the Complaint in Case 23-13009-1, i.e. that he knowingly or
9 willingly failed to comply with the Board's order confirming his Settlement Agreement.

10 THE EVIDENCE

11 The evidence adduced at the April 13 hearing is summarized as follows (bold and
12 italics are inserted by the Hearing Officer):

13 The IC's Deputy Chief of Investigations and Compliance Officer Johnna LaRue
14 testified that:

15 Following the Board's approval of the Settlement Agreement entered into between
16 Dr. Siems and the IC, Ms. LaRue mailed notice of the Board's decision to Dr. Siems' then
17 counsel on December 14, 2021. T.15-17;

18 Ms. LaRue's letter, including a copy of the Settlement Agreement, disclosed the
19 specific requirements with which Dr. Siems would have to comply to meet his obligations
20 under the Settlement Agreement, and the fact that he would have one year from the date of
21 the Board hearing to so comply, which would allow Dr. Siems until December 3, 2022 to
22 meet all the conditions outlined in the Settlement Agreement, and required by the Board's
23 Order thereon. T.18-20;

24 Receipt of Ms. LaRue's letter containing the Settlement Agreement and Board
25 Order by Dr. Siems' then counsel¹ was confirmed via documentary evidence showing that
26 it was received on December 18, 2021. T.21-22, 26, IC Exhibit 4;

27
28 ¹ As noted, Dr. Siems was not represented by counsel at the formal Hearing in Case 19-
13009-2. However, he retained counsel after the Hearing which culminated in execution
of the Settlement Agreement.

1 Dr. Siems and his counsel both signed the Settlement Agreement. T.28;
2 Via a November 18, 2022 email to the IC's counsel Mr. White, Dr. Siems' counsel
3 advised Mr. White that he was no longer representing Dr. Siems. T.29-30;

4 At no time did Dr. Siems' counsel or any other person ever contact Ms. LaRue or
5 anyone else at the Board to request an extension of time for Dr. Siems to complete his
6 requirements under the Settlement Agreement. T.31-33;

7 Extensions of time to comply with settlement agreement conditions are routinely
8 given under reasonable circumstances. T.33-34;

9 Dr. Siems did not complete all his CMEs required by the Settlement Agreement
10 within the mandated one-year period, nor did he complete the PACE program. T.34-35.
11 Rather, the last required CMEs were completed within a few days following the February
12 2, 2023 hearing on the license suspension, (which would have been approximately two
13 months late) . T.35;

14 Dr. Siems pressed Ms. LaRue on whether the Board should have required him (Dr.
15 Siems) to complete the PACE program when he discovered that the program could not
16 accommodate him. However, Ms. LaRue responded by saying that the Board would have
17 amended the Settlement Agreement had Dr. Siems contacted the Board within the one-year
18 period to advise that PACE could not accommodate him. T.38-43;

19 In response to Dr. Siems raising the issue of possibly not receiving a copy of the
20 Settlement Agreement from his counsel, Ms. LaRue advised that she had worked a number
21 of times in the past with the same attorney who represented Dr. Siems, and she has never
22 had any issues with practitioners not receiving documents from that attorney. T.45-46;

23 Had the IC known at any time prior to expiration of his one-year timeline that the
24 PACE program could not presently accommodate Dr. Siems, arrangements would have
25 been made to take the matter back to the Board to alter the terms of the Settlement
26 Agreement. T.47-48;

27 Dr. Siems recognized a copy of the Settlement Agreement and acknowledged that
28 he signed it. T.51-52;

1 *Dr. Siems acknowledged that he knew his deadline for complying with the terms*
2 *of the Settlement Agreement was December 3, 2022. T.54;*

3 *At some time during December, 2022, Dr. Siems had his manager Isabella call*
4 *the IC to provide an update on his process of complying with the Settlement Agreement,*
5 *but not to request an extension of time. T.55-56;*

6 *Dr. Siems confirmed that while he does not recall receiving the IC's letter via his*
7 *counsel following the approval of the Settlement Agreement, that does not mean that he*
8 *does not remember the "settlement demands." "That's not my claim. I was aware of*
9 *what the settlement demands were." On questioning by Mr. White, Dr. Siems*
10 *acknowledged he was aware of the settlement demands as of the date he signed the*
11 *document, i.e. November 24, 2021. T.57;*

12 *Email correspondence between Dr. Siems and the PACE program showed that Dr.*
13 *Siems was not yet enrolled with PACE as of December 20, 2022, as his outstanding*
14 *balance due for participation was \$10,000.00. The balance due check was dated December*
15 *30, 2022, three days after service of the suspension order. T.61, 63-65, Respondent's*
16 *Exhibits p.0003, 00095;*

17 *The first time that Dr. Siems, or his office personnel, contacted the PACE*
18 *program was October 31, 2022 (or approximately 33 days prior to the compliance*
19 *deadline in the Settlement Agreement). T.63;*

20 *When asked directly if he complied with the terms of the Settlement Agreement,*
21 *Dr. Siems answered "No." T.65;*

22 *Dr. Siems was advised that he had the opportunity to present a defense case, but as*
23 *the Board and its IC have the burden of proof, he (Dr. Siems) had no obligation to do so.*
24 *Dr. Siems chose to provide a defense case. T.67-68;*

25 *Beginning at page 75 of the transcript, Dr. Siems provided a quite thorough history*
26 *of some highly traumatic personal crises which began happening in his life in November,*
27 *2022, i.e. approximately one month or less before the December 3, 2022 deadline for*
28 *complying with the Settlement Agreement. Those circumstances include a November 22,*
2022 trip to Europe for approximately two weeks due to family medical emergencies,

1 ongoing emergent care of a young man that Dr. Siems refers to as his step-son upon return
2 to the United States from Europe, and the necessity of a restraining order on December 23,
3 2022. The undersigned Hearing Officer declines to include details of those matters here to
4 protect the privacy of Dr. Siems' and his family members. Suffice it to say that
5 circumstances involving the mother of his children, and the young man whom Dr. Siems
6 refers to as his step-son, were in crisis stage, which, according to sworn testimony, were
7 physically and emotionally consuming. T.75-141;

8 Dr. Siems received a letter from the PACE program advising that the program
9 could not accommodate Dr. Siems. That letter was dated April 6, 2023. T.82,
10 Respondent's Exhibits p.0147;

11 Dr. Siems believes it is the Board's responsibility to determine whether or not the
12 PACE program could accommodate him. Dr. Siems does not feel it is his responsibility to
13 make that determination. T.84;

14 Dr. Siems testified that he waited four months, i.e. until the PACE program letter of
15 April 6, 2023, to discover / confirm that PACE could not accommodate him. T.89;

16 Dr. Siems asked his witness Amel Youssef, O.D., if the trauma they jointly
17 experienced because of her son's medical emergencies could distract a person "enough that
18 mundane parts of life, perhaps, were ignored and made oblivious?" She testified in the
19 affirmative. T.114-115;

20 ANALYSIS

21 This Hearing Officer did not find any witness who testified at the hearing to have
22 credibility issues. While the witnesses called by Dr. Siems could be argued to be self-
23 serving, those witnesses presented as genuine and factual. This Hearing Officer takes their
24 testimony, along with all of that elicited by the IC, at full face value.

25 Dr. Siems executed the Settlement Agreement on November 24, 2021. He soon
26 thereafter learned that pursuant to an Order of the Board, he had until December 3, 2022,
27 to complete the conditions of his resolution. He first contacted the PACE program on
28 October 31, 2022, one month and three days before his deadline for full completion of all
conditions. That deadline came and went without Dr. Siems handling his CME or PACE

1 obligations. On December 27, 2022, Dr. Siems' license was summarily suspended for his
2 failure to comply with the conditions of the Settlement Agreement. A formal noticed
3 hearing confirming the suspension was held February 2, 2023. It was after that hearing
4 that Dr. Siems completed his CME requirements, which was more than two months out of
5 compliance. Dr. Siems received a letter confirming that the PACE program could not
6 accommodate him on or after April 6, 2023, just a week prior to the formal Hearing on the
7 Complaint alleging his failure to comply. And while Dr. Siems had his office manager
8 contact the IC with a status update on his compliance at some time in December, 2022,
9 (most likely after his December 3 deadline), at no time – either before or after the deadline
10 - did Dr. Siems or his staff ever request additional time to complete his requirements under
11 the Settlement Agreement.

12 Dr. Siems offered what is genuinely a compassion-evoking explanation of a series
13 of unfortunate and even tragic events in his life - not the results of his doing - and which no
14 doubt required a great deal of his time and attention. The evidence is clear that he
15 responded well to loved ones in need. His actions were indeed admirable.

16 Unfortunately, Dr. Siems' defense is measured against three harsh realities. First,
17 as he readily acknowledged, Dr. Siems failed to comply with the terms of his Settlement
18 Agreement and the Board's Order mandating such. Second, Dr. Siems made no contact
19 with the PACE program till he was only thirty-three days away from his deadline. Third,
20 Dr. Siems did not reach out to the IC until after his deadline passed, and even when he had
21 his office manager call, it was to provide a status update and not to seek additional time to
22 comply. Further, it is apparent from the record that the great majority of the challenges
23 that occurred in Dr. Siems' personal life arose either just prior to his compliance deadline --
24 and some even occurred thereafter (such as the necessity of obtaining a restraining order).

25 Dr. Siems also offers as part of his defense that it should have been the Board's
26 responsibility to ensure that the PACE program could accommodate his area of specialty /
27 expertise before including such in the Settlement Agreement. While not fully articulated in
28 the record, it appears to the Hearing Officer that those involved in crafting the Settlement
Agreement had ample cause to believe based on past experience that the PACE program

1 could serve a physician of Dr. Siems' specialty. It is also apparent from the record that
2 Covid-19 had impacted the ability of the PACE program to accommodate some specialties.
3 Accordingly, the Hearing Officer does not recognize a basis to leave upon the Board sole
4 responsibility for the potential availability of the PACE program to function for Dr. Siems.
5 As stated repeatedly by the IC's counsel Mr. White, had Dr. Siems not waited 333 days to
6 initiate contact with PACE, this case could have been quite different. Ms. LaRue made
7 sufficiently clear that timely notice of any deficiency in the ability of the PACE program to
8 serve in this case would have allowed the Board to amend its requirements. Finally, there
9 is the logical reality that the party on the hook, i.e. the one with his licensure at stake,
10 ought to engage in sufficient due diligence to ensure he is doing all that is required to
11 preserve his valuable practice. Dr. Siems offered no explanation as to why he did not
12 reach out to PACE until October 31, 2022, or why he did not complete his CMEs from the
13 time he signed the Settlement Agreement in November, 2021, until his personal challenges
14 arose in late November 2022. Finally, it must be recognized that Dr. Siems' counsel – who
15 was an extension of Dr. Siems, participated in the negotiating and crafting of the
16 Settlement Agreement. And it was Dr. Siems who executed that Agreement. And
17 accordingly, Dr. Siems shares responsibility for what that Agreement contains.

18 It is also significant that the statute at issue here is one of strict liability. While Dr.
19 Siems argues that the statute does not prohibit consideration of extenuating circumstances,
20 that does not obviate the plain language of the law that "knowingly or willfully failing to
21 comply with . . . [an] order of the Board constitutes grounds for initiating disciplinary
22 action. The Settlement Agreement became an Order of the Board when the Board
23 approved it. The Order is the final page of the Agreement. Dr. Siems candidly admitted
24 he knew that he did not comply with that Order. The knowing prong of the statute is thus
25 satisfied. And while not a necessary finding or conclusion since either a knowing or
26 willful violation will trigger the ramifications of the statute, it can reasonably be
27 determined that Dr. Siems' failure to comply was willful considering the long delay before
28 he took any action whatsoever. The Hearing Officer finds Dr. Siems' passive description
of the Board's Order as a "mundane part of life" as a reflection of the amount of concern

1 he had for the Order, which is further reflected in the long delay before any action was
2 taken whatsoever. In any event, the knowing violation is clear and convincing, thus
3 exceeding the IC's burden of proving their case by a preponderance of the evidence.

4 **CONCLUSION**

5 This Hearing Officer, while readily acknowledging the significant trying life events
6 experienced by Dr. Siems and his family, must recommend that the Board find that
7 Respondent Dr. Jon Lane Siems, M.D., violated the statute as alleged in the Complaint, in
8 that he knowingly failed to comply with the terms of the Order contained within the
9 Settlement Agreement. There is no doubt room for compassion for Dr. Siems in all he
10 experienced in his personal life right around the compliance deadline. But those
11 extenuating circumstances do not negate the knowing failure to meet his mandated
12 obligations, especially when he took no action to inform the Board of those circumstances
13 and/or to seek additional time to comply, or to have the requirements duly amended.

14
15 Respectfully submitted this 8th day of May, 2023.

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19 Charles B. Woodman, Hearing Officer
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EXHIBIT 2

EXHIBIT 2

NEVADA STATE BOARD OF MEDICAL EXAMINERS

9600 Gateway Drive
Reno, NV 89521

Nick M. Spirtos, M.D., F.A.C.O.G.
Board President



Edward O. Cousineau, J.D.
Executive Director

December 19, 2023

Jon Lane Siems, M.D.
41493 Margarita Road, #G109
Temecula, CA 92591-5570

Re: Compliance Case #23-13009-1

Dear Dr. Siems:

On December 1, 2023, the Nevada State Board of Medical Examiners, approved and accepted the Findings of Fact, Conclusions of Law and Order regarding the complaint filed on Case No. 23-13009-1 finding the following:

- Respondent has violated the Medical Practice Act, as alleged in the Complaint, as follows: one (1) violation of NRS 630.3065(2)(a), Knowing or Willful Failure to comply with a Board Order.

As a result, the Board entered its **ORDER** as follows:

- Pursuant to NRS 630.352(4)(e), the Board shall administer a written public reprimand to Respondent;
- Respondent's license shall be suspended for a period of one year, from December 28, 2022 to December 27, 2023. On December 28, 2023, Respondent's license status shall be reinstated to Active-Probation status;
- Respondent shall complete at the University of San Diego Physician Assessment and Competency Evaluation Program (PACE), Competency Assessment, or substantially similar assessment by another entity approved by the Board within six (6) months of issuance of this Order. Any aforementioned hours of Continuing Medical Education received for attending the program that is substantially related to PACE shall be in addition to the requirements that are regularly imposed upon Respondent as a condition of licensure in the State of Nevada pursuant to NAC 630.153(1);
- Respondent shall reimburse the Board the reasonable and necessary costs and expenses actually incurred in the investigation and prosecution of this case in the amount of seven thousand four hundred and ninety-nine dollars, and twenty cents (\$7,499.20) within six (6) months of service of this Order. The Board, and/or its designee, are granted the authority to collect any and all funds due under this Order;
- Investigation Case Nos. 18-18146, 19-18953, 20-19625, 20-19679, 20-19736, 21-20367, 22-21285, 22-21357, 23-22654, 23-22790, and 23-22844 shall be dismissed with prejudice.

Your compliance with the terms and conditions pertaining to **CME's** will be monitored by Johnna S. LaRue, CMBI, Compliance Officer. Please contact me at (775) 324-9377 for any questions or concerns regarding CME's.

Your compliance with the terms and conditions pertaining to **Administrative Costs and Fines** will be monitored by Donya Jenkins, Chief of Finance and Human Resources. Please contact Ms. Jenkins at (775) 324-9354 for any questions or concerns regarding payment of costs and fines.

Please make note of the Board's new policies for making payments, credit cards, cashier's checks and money orders are the only form of payment accepted.

Payment can be made online at <https://nsbme.us.thentiacloud.net/webs/nsbme/service/#/login>.

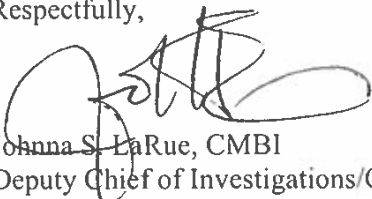
Included in the Order are mandatory actions that you must fulfill some of which include:

- 1.) The costs in the amount of \$7,499.20 are due by **June 1, 2024**.
- 2.) The University of San Diego Physician Assessment and Competency Evaluation Program (PACE), Competency Assessment, or substantially similar assessment by another entity is due by **June 1, 2024**.

Please contact me, in writing, **within 30 days** and provide the most expeditious method of contacting you. Thereafter, please update me immediately upon any change in your contact information. You may mail the information to the address below, fax it to 775-688-2553 or e-mail it to me at jlalrue@medboard.nv.gov. In addition, any additional information required from you should be submitted to the same contact numbers and address.

If you have any questions, please call, or write. Thank you for your cooperation on this matter.

Respectfully,



Johnna S. LaRue, CMBI
Deputy Chief of Investigations/Compliance Officer
Nevada State Board of Medical Examiners
9600 Gateway Drive
Reno, NV 89521
(775) 324-9377

EXHIBIT 3

EXHIBIT 3

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

3 * * * * *

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5
6 **In The Matter of Charges and Complaint**

Case No: 23-13009-1

7 **Against:**

FILED

8 **JON LANE SIEMS, M.D.,**

JAN - 2 2024

9 **Respondent.**

NEVADA STATE BOARD OF
MEDICAL EXAMINERS

By: 

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11 **PROOF OF SERVICE**

12 Findings of Fact, Conclusion of Law and Order

13 Public Reprimand

14 Compliance Letter

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

CERTIFIED MAIL™



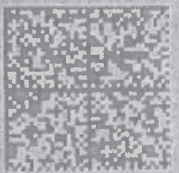
9171 9690 0935 0241 5626 30

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

TO
Jon Lane Siems, M.D.
41493 Margarita Road #G109
Temecula, CA 92591-5570

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ELECTRONIC RETURN
RECEIPT REQUESTED



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US POSTAGE

ELECTRONIC RETURN
RECEIPT REQUESTED



December 27, 2023

Dear Johnna LaRue:

The following is in response to your request for proof of delivery on your item with the tracking number:
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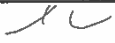
Item Details

Status:	Delivered, Left with Individual
Status Date / Time:	December 26, 2023, 10:26 am
Location:	TEMECULA, CA 92591
Postal Product:	First-Class Mail®
Extra Services:	Certified Mail™ Return Receipt Electronic

Shipment Details

Weight: 0.6oz

Recipient Signature

Signature of Recipient:	
Address of Recipient:	AVI 41493

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Sincerely,
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Delivered, Left with Individual

TEMECULA, CA 92591

December 26, 2023, 10:26 am

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Enter tracking or barcode numbers

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[FAQs](#)

EXHIBIT 4

EXHIBIT 4

BEFORE THE BOARD OF MEDICAL EXAMINERS
OF THE STATE OF NEVADA

* * * * *

In the Matter of Charges and Complaint

Case No. 23-13009-1

Against:

JON LANE SIEMS, M.D.,

Respondent.

FILED

MAR 20 2025

NEVADA STATE BOARD OF
MEDICAL EXAMINERS
By: 

**ORDER DENYING RESPONDENT'S REQUEST FOR MODIFICATION OF THE TERMS
OF THE FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER**

Jon Lane Siems, M.D. (Dr. Siems), License No. 13009, personally appeared in Las Vegas, Nevada, before the Nevada State Board of Medical Examiners (Board) at its regularly scheduled Board meeting on March 7, 2025, requesting that the Board modify part of the terms of the Findings of Fact, Conclusions of Law, and Order (Request). Board members Nicola (Nick) M. Spirtos, M.D., F.A.C.O.G, President, Bret W. Frey, M.D., Vice President, Ms. Maggie Arias-Petrel, Secretary-Treasurer, Chowdhury H. Ahsan, M.D., Ph.D., FACC, Ms. Pamela J. Beal, Col. Eric D. Wade, USAF, (Ret.), Carl N. Williams, Jr., M.D., FACS, Irwin B. Simon, M.D., FACS, Joseph Olivarez, P.A.-C, and Jason B. Farnsworth, RRT, MBA, Hugh L. Bassewitz, M.D., FAAOS, were present.

After considering Dr. Siems's request, and good cause appearing, the Board enters the following Order:

IT IS HEREBY ORDERED that the formal Request for Modification of the Terms of the Findings of Fact, Conclusions of Law, and Order, filed in Case No. 23-13009-1 by Dr. Siems is DENIED.

DATED this 20th day of March, 2025.

NEVADA STATE BOARD OF MEDICAL EXAMINERS


NICK M. SPIRTOS, M.D., F.A.C.O.G.
President of the Board

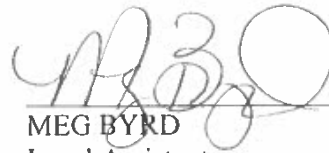
1 **CERTIFICATE OF SERVICE**

2 I hereby certify that I am employed by the Nevada State Board of Medical Examiners and
3 that on the 20th day of March, 2025, I served a file-stamped copy of the foregoing **ORDER**
4 **DENYING RESPONDENT'S REQUEST FOR MODIFICATION OF THE TERMS OF**
5 **THE FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER**, via U.S. Certified
6 Mail, postage pre-paid, to the following parties:

7 JON LANE SIEMS, M.D.
8 31852 Via Patito
9 Coto de Caza, CA 92679

Tracking No.: 9171 9690 0935 0255 7026 88

10
11 DATED this 20th day of March, 2025.

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14 MEG BYRD
15 Legal Assistant
16 Nevada State Board of Medical Examiners
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From: [Jon Siems](#)
To: [Meg Byrd](#)
Subject: Re: Jon Siems, M.D. - Order Continuing Suspension
Date: Monday, June 2, 2025 11:17:59 AM
Attachments: [image002.png](#)

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

I am in receipt of the board order. Thank you. Pending further litigation on the actions previously taken by the board against me on these issues, I willingly choose not to participate in any further board activities/hearings.
Sent from my iPhone

On Jun 2, 2025, at 10:49 AM, Meg Byrd <mbyrd@medboard.nv.gov> wrote:

Good morning Mr. Lipparelli,
The IC is requesting the ECC be scheduled as soon as you are available. I can ensure the ECC Order is sent to Dr. Siems and he can choose to participate if he wishes to.

Thank you,
Meg

From: Paul Lipparelli <paul.lipparelli@gmail.com>
Sent: Wednesday, May 21, 2025 3:32 PM
To: Donald K. White <dwhite@medboard.nv.gov>; Jon Siems <siemslasik@hotmail.com>
Cc: Meg Byrd <mbyrd@medboard.nv.gov>
Subject: Re: Jon Siems, M.D. - Order Continuing Suspension

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

Dr. Siems: I understand that you are consulting with attorneys and considering legal action about what has already transpired. Nonetheless, your email did not provide dates for your availability for the mandatory early case conference. Are you declining to participate in the scheduling of that conference? --Paul Lipparelli.

On Wed, May 21, 2025, 1:23 PM Donald K. White <dwhite@medboard.nv.gov> wrote:

Hello Mr. Lipparelli,

I can make myself available for any of those days.

Thank you,
Don

Donald K. White, J.D.
Senior Deputy General Counsel
Nevada State Board of Medical Examiners
[9600 Gateway Drive](#)
[Reno, NV 89521](#)
[775.324.9355](tel:775.324.9355)
dwhite@medboard.nv.gov

Notice of Confidentiality: The information transmitted is intended only for the person or entity to whom it is addressed and may contain confidential and/or privileged material. Review, retransmission, or

dissemination of this information by anyone other than the intended recipient is not authorized. If not the intended recipient, please contact the sender by reply e-mail and destroy all copies of the original message.

From: Paul Lipparelli <paul.lipparelli@gmail.com>
Sent: Wednesday, May 21, 2025 12:04 PM
To: Meg Byrd <mbyrd@medboard.nv.gov>
Cc: Jon Siems <siemslasik@hotmail.com>; Donald K. White <dwhite@medboard.nv.gov>
Subject: Re: Jon Siems, M.D. - Order Continuing Suspension

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

Dr. Siems and Mr. White,

I have received copies of the orders of the Board of Medical Examiners denying Dr. Siems motion to modify and continuing the suspension of his medical license. A formal hearing is still needed for the case involving the October 8, 2024 complaint (copy attached). No answer to the October 8 complaint was filed, so the allegations are deemed denied and the matter will proceed. NRS 630.339.

An Early Case Conference needs to be scheduled as soon as possible. At the Early Case Conference we will choose the dates for the formal hearing, the mandatory prehearing conference and any prehearing motions.

Early Case Conferences are held electronically. When we have agreed on a date for the Early Case Conference, I will send a link for a Zoom meeting.

I am available for an Early Case Conference almost any time during the following days:

- May 27-29
- June 9-13
- June 16-18
- June 25-27
- July 1-3

Please respond with your availability on any of those dates.

--Paul Lipparelli, hearing officer

On Mon, Apr 28, 2025 at 10:29 AM Meg Byrd <mbyrd@medboard.nv.gov> wrote:

Good morning,
Please see the attached Order Continuing Summary Suspension from the IC.

Also, it is time to schedule an Early Case Conference as soon as possible.

Thank you,
Meg

<image001.png>

Meg Byrd

Legal Assistant to:
Donald K. White, Senior Deputy General Counsel
Ian J. Cumings, Senior Deputy General Counsel
Nevada State Board of Medical Examiners
[9600 Gateway Drive](#)
[Reno, NV 89521](#)
Tel: (775) 324-9350

Fax: (775) 688-2321
mbyrd@medboard.nv.gov

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EXHIBIT 5

EXHIBIT 5

Johnna S. LaRue

From: Amanda Besmanoff <abesmanoff@cpepdoc.org>
Sent: Tuesday, February 4, 2025 1:24 PM
To: Johnna S. LaRue
Subject: RE: CPEP: Confirmation of Assessment and Next Steps

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

Hi Johnna,

Dr. Siems has not paid the balance for the Assessment completed on October 14-15, 2024. Per our policy, we do not send the results of the Assessment without having the payment in full.

Thank you,



ASSESSMENT AND EDUCATION FOR HEALTHCARE PROFESSIONALS

AMANDA BESMANOFF, RECRUITMENT & OUTREACH SPECIALIST - ASSESSMENT
COLORADO OFFICE
720 S. Colorado Blvd., Suite 1100-N
Denver, CO 80246

P: 303.577.3232, ext. 214

F: 720.445.3864

www.cpepdoc.org

CLICK HERE TO SEND A SECURE FILE

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From: Johnna S. LaRue <jlarue@medboard.nv.gov>
Sent: Thursday, January 30, 2025 1:56 PM
To: Amanda Besmanoff <abesmanoff@cpepdoc.org>
Subject: RE: CPEP: Confirmation of Assessment and Next Steps
Importance: High

Hi Amanda,

I am following up to see if Dr. Siems has paid the balance and if there will be results of his assessment. Please let me know.

Thank you,



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

From: Amanda Besmanoff <abesmanoff@cpepdoc.org>
Sent: Friday, November 15, 2024 2:33 PM
To: Johnna S. LaRue <jlalrue@medboard.nv.gov>
Subject: FW: CPEP: Confirmation of Assessment and Next Steps
Importance: High

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

Hi Johnna,

Forwarding the email below for your records. I'll let you know if and when Dr. Siems pays the balance for the Assessment.



ASSESSMENT AND EDUCATION FOR HEALTHCARE PROFESSIONALS

AMANDA BESMANOFF, RECRUITMENT & OUTREACH SPECIALIST - ASSESSMENT
COLORADO OFFICE
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From: Amanda Besmanoff
Sent: Friday, November 15, 2024 3:24 PM
To: siemslasik@hotmail.com

Subject: FW: CPEP: Confirmation of Assessment and Next Steps
Importance: High

Hello Dr. Siems,

I am reaching out as a follow-up to the email I sent on October 23rd. As of today, we have not received the payment for the balance of \$5,500 for the Assessment. Please be aware that we will not release the final report without payment of your outstanding balance.

Please contact me with any questions.

Thanks,

Amanda

From: Amanda Besmanoff
Sent: Wednesday, October 23, 2024 3:26 PM
To: siemslasik@hotmail.com
Subject: FW: CPEP: Confirmation of Assessment and Next Steps
Importance: High

Hi Dr. Siems,

This is a friendly reminder to please submit the CPEP Statement of Health (signed by your provider), the progress note from your recent physical exam, and the MoCA test results.

There is still a balance of \$5,500 for the Assessment. Per the terms agreed to in the Participation Agreement (section V. Financial Obligations) the balance was due 21 days prior to the Assessment. Please pay the balance upon receipt of this email.

Thank you,

Amanda

From: Amanda Besmanoff
Sent: Friday, October 11, 2024 9:14 AM
To: siemslasik@hotmail.com
Subject: FW: CPEP: Confirmation of Assessment and Next Steps

Amanda



ASSESSMENT AND EDUCATION FOR HEALTHCARE PROFESSIONALS

AMANDA BESMANOFF, RECRUITMENT & OUTREACH SPECIALIST - ASSESSMENT

COLORADO OFFICE

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EXHIBIT 6

EXHIBIT 6

5

BEFORE THE BOARD OF MEDICAL EXAMINERS
OF THE STATE OF NEVADA

* * * * *

In the Matter of the Charges and Complaint

Case No.: 24-13009-1

Against:

JON LANE SIEMS, M.D.,

Respondent.

FILED

SEP 16 2024

NEVADA STATE BOARD OF
MEDICAL EXAMINERS

By: 

ORDER OF SUSPENSION AND NOTICE OF HEARING

The Investigative Committee¹ (IC) of the Nevada State Board of Medical Examiners (Board) hereby **IMMEDIATELY SUSPENDS** the license of Jon Lane Siems, M.D. (Respondent) from the practice of medicine, pursuant to the Board's authority to regulate the practice of medicine in the State of Nevada pursuant to Nevada Revised Statutes (NRS) Chapter 630.

The IC issues this Order of Suspension (Order) based on its determination that Respondent violated a Board Order when he did not satisfy all of the conditions contained in the discipline issued by the Board after adjudication at the Board meeting on December 1, 2023. *See Exhibit 1.*

Prior to the preparation of this Order, Board Staff presented to the IC the following:

1. Respondent is a medical doctor licensed to practice medicine in the State of Nevada (License No. 9250). The Board issued his license on December 20, 1999.

2. On December 27, 2022, in Case No. 19-13009-2, the IC suspended Respondent's license to practice medicine in the State of Nevada pending a show cause hearing regarding the subject of that summary suspension via an Order of Summary Suspension.

3. On January 30, 2023, the IC filed a formal Complaint against Respondent in Case No. 23-13009-1 which facts relate directly back to an Order issued in Case No. 19-13009-2.

///

¹ The Investigative Committee of the Nevada State Board of Medical Examiners is composed of Board members Bret W. Frey, M.D., Chairman, Carl N. Williams, Jr., M.D., and Col. Eric D. Wade, USAF (Ret.).

1 4. On February 2, 2023, a show cause hearing was held regarding Respondent's
2 suspension.

3 5. After attempts to serve Respondent with the formal Complaint on a previous date,
4 Respondent was served with the formal Complaint in Case 23-13009-1 on March 3, 2023.

5 6. On April 13, 2023, a formal hearing was held in Case No. 23-13009-1.

6 7. On December 1, 2023, the Board adjudicated the matter and found that Respondent
7 did indeed violate the single count of Knowing or Willful Failure to Comply with a Board Order,
8 as provided by NRS 630.3065(2)(a), and imposed discipline.

9 8. The discipline the Board imposed was a written public reprimand, that
10 Respondent's license be suspended for a period of one (1) year from December 28, 2022 to
11 December 27, 2023, and on December 28, 2023, Respondent's license status shall be reinstated to
12 an active-probation status; Respondent shall complete the University of San Diego Physician
13 Assessment and Competency Evaluation Program (PACE), Competency Assessment, or
14 substantially similar assessment by another entity approved by the Board within six (6) months of
15 issuance of the Order; that any continuing medical education received for attending the program
16 shall be in addition to the requirements that are regularly imposed upon Respondent as a condition
17 of licensure in the State of Nevada pursuant to NAC 630.153(1); and Respondent was required to
18 reimburse the Board the reasonable and necessary costs and expenses actually incurred in the
19 investigation and prosecution of this case in the amount of seven thousand four hundred and
20 ninety-nine dollars, and twenty cents (\$7,499.20) within six (6) months of service of the Order.

21 9. Respondent received a deadline of June 1, 2024, to pay the fines and costs in
22 Case No. 23-13009-1.

23 10. Johnna LaRue, CMBI, Compliance Officer for the Board sent Respondent a letter
24 dated December 19, 2023, containing helpful instructions and deadlines to assist Respondent in
25 complying with the Board Order. **See Exhibit 2.**

26 11. As of today's date, Respondent has not paid the costs in the amount of seven
27 thousand four hundred and ninety-nine dollars, and twenty cents (\$7,499.20) and is therefore in
28 violation of the Board's Order.

12. NRS 630.3065(2)(a) states in pertinent part that [e]xcept as otherwise provided in NRS 630.2672, knowingly or willfully failing to comply with: (a) [a] regulation, subpoena or order of the Board or a committee designated by the Board to investigate a complaint against a physician, constitutes grounds for initiating disciplinary action.

13. Based on the foregoing, the IC finds that Respondent has willfully and knowingly violated the Board Order and is immediately suspended from the practice of medicine in the State of Nevada. See NRS 630.326(1).

ORDER

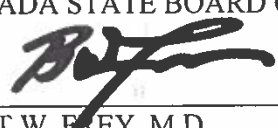
IT IS HEREBY ORDERED that the License of Jon Lane Siems, M.D. (9250) is immediately **SUSPENDED** until further order of the IC or Board, and Respondent is prohibited from engaging in any acts that constitute the practice of medicine pursuant to NRS 630.020; and

IT IS FURTHER ORDERED that a hearing on this matter is set for the **18th day of October, 2024, at 9:00 a.m.,** at the Board's office located at 9600 Gateway Drive, Reno, Nevada 89521, with video conferencing to the Las Vegas office at 325 E. Warm Springs Road, Suite 225, Las Vegas, Nevada 89119 to determine whether this suspension may continue, unless the parties mutually agree in writing to a different date and/or time to hold the hearing. See NRS 630.326(2).

DATED this 16th day of September, 2024.

INVESTIGATIVE COMMITTEE OF THE
NEVADA STATE BOARD OF MEDICAL EXAMINERS

By:


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

CERTIFICATE OF SERVICE

I hereby certify that I am employed by the Nevada State Board of Medical Examiners and that on the 16th day of September, 2024, I served a file-stamped copy of the foregoing **ORDER OF SUSPENSION AND NOTICE OF HEARING**, via Fed Ex (priority overnight), postage pre-paid, to the following parties:

JON LANE SIEMS, M.D.
31852 Via Patito
Coto de Caza, CA 92679

Tracking No.: 778618923066

DATED this 16th day of September, 2024.



MEG BYRD
Legal Assistant
Nevada State Board of Medical Examiners

EXHIBIT 1

EXHIBIT 1

BEFORE THE BOARD OF MEDICAL EXAMINERS
OF THE STATE OF NEVADA

* * * * *

In the Matter of Charges and Complaint
Against
JON LANE SIEMS, M.D.,
Respondent.

Case No. 23-13009-1

FILED

DEC 19 2023

NEVADA STATE BOARD OF
MEDICAL EXAMINERS
By: 

FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER

This case was presented for adjudication and decision before the Nevada State Board of Medical Examiners (Board), during a regularly scheduled Board meeting on December 1, 2023, at 8:40 a.m., (Pacific Standard Time), located at 325 E. Warm Springs Road, Suite 225, Las Vegas, NV 89119, video conferenced to 9600 Gateway Drive, Reno, NV 89521. Jon Lane Siems, M.D., (Respondent), was properly served with a notice of the adjudication, including the date, time and location, and was present and not represented by counsel. The adjudicating members of the Board participating in these Findings of Fact, Conclusions of Law, and Order (FOFCOL) were: Nick M. Spirtos M.D., F.A.C.O.G., Ms. Maggie Arias-Petrel, Ms. Pamela Beal, Irwin B. Simon, M.D., FACS, Joseph Olivarez, P.A.-C, and Jason B. Farnsworth, RRT, MBA. Chricy E. Harris, Esq., Deputy Attorney General, served as legal counsel to the Board.

The Board, having received and read the Complaint and exhibits admitted at the hearing of this matter, the Hearing Officer's Findings and Recommendations¹, and the transcript of the hearing, made its decision pursuant to its authority and provisions of the Nevada Revised Statutes (NRS) Chapter 630 and Nevada Administrative Code (NAC) Chapter 630 (collectively, the Medical Practice Act), NRS Chapter 622A, and NRS Chapter 233B, as applicable.

///

///

¹ The Hearing Officer's Findings and Recommendations were prepared by Charles Woodman, Esq., who was appointed as Hearing Officer under NRS 630.106 in this matter and presided over the hearing.

1 The Board, after due consideration of the record, evidence, and law, and being fully
2 advised in the premises, makes its FINDINGS OF FACT, CONCLUSIONS OF LAW, AND
3 ORDER in this matter, as follows:

4 **FINDINGS OF FACT**

5 **I.**

6 Respondent held an Active-Probation license to practice medicine in the State of Nevada
7 issued by the Board from December 3, 2021, until December 27, 2022. An Order for Summary
8 Suspension of Respondent's license was filed on December 27, 2022, served on December 27,
9 2022, which immediately suspended Respondent's license until a show cause hearing could be
10 held to determine if his medical license would be reinstated during the regular hearing process.
11 On February 2, 2023, a show cause hearing was held at the office of the Nevada State Board of
12 Medical Examiners and the Hearing Officer entered his order during the hearing that continued
13 the suspension of Respondent's medical license throughout the hearing process.

14 **II.**

15 On January 30, 2022, the Investigative Committee filed its formal Complaint in
16 Case No. 23-13009-1, alleging Respondent violated the Medical Practice Act. Respondent was
17 personally served with the Complaint by a USPS Certified mail on March 3, 2023. The Complaint
18 alleges as follows: Count I, a violation of NRS 630.3065(2)(a) Knowing or Willful Failure to
19 Comply with a Board Order.

20 Respondent did not answer or file a response to the allegations set forth in the Complaint.
21 Pursuant to NAC 630.460(4), the allegations of the Complaint are deemed generally denied if an
22 answer is not filed.

23 **III.**

24 An Early Case Conference was held at the conclusion of the show cause hearing.
25 Donald K. White, Senior Deputy General Counsel was present on behalf of the Investigative
26 Committee (IC) of the Board, with Hearing Officer Charles Woodman, Esq., Respondent
27 participated in the Early Case Conference and show cause hearing but was not represented by an
28 attorney.

1 In compliance with NAC 630.465 an Order After Prehearing and Order Confirming
2 Hearing Date was filed March 1, 2023, setting dates for the formal hearing calendared to
3 commence on April 13, 2023, at the Office of the Nevada State Board of Medical Examiners,
4 9600 Gateway Drive, Reno, Nevada 89521 video conferenced to the Board's Las Vegas Office,
5 located at 325 E. Warm Springs Road, Suite 225, Las Vegas, NV 89119. All documents intended
6 to be introduced as evidence in the case were to be exchanged on or before March 13, 2023.
7 Respondent was served this Order via USPS Certified Mail on March 6, 2023, at his address of
8 record.

9 IV.

10 On April 13, 2023, as duly noticed and ordered, a hearing was held before the Hearing
11 Officer to receive evidence and to hear arguments of both parties. Legal counsel for the
12 Investigative Committee, Donald K. White, Senior Deputy General Counsel appeared, along with
13 Respondent, without legal counsel, and Hearing Officer Charles Woodman, Esq. Mr. White
14 presented the IC's case, offered documentary evidence, and presented witness testimony. Exhibits
15 one (1) through (4) from the IC and several of Respondent's exhibits, were marked and admitted
16 into evidence.

17 The Hearing Officer provided the Synopsis and Analysis of Record, filed May 9, 2023.
18 This matter was scheduled for final adjudication on December 1, 2023, at a regularly scheduled
19 Board meeting.

20 The notice of the adjudication was sent via USPS Certified Mail on October 30, 2023, and
21 was delivered to Respondent on November 3, 2023, at 10:14 a.m.

22 A copy of the adjudication materials along with a copy of the Hearing Officer's Synopsis
23 and Analysis of Record were mailed via Fed Ex 2-Day and were delivered to Respondent's
24 address of record on November 10, 2023.

25 V.

26 Pursuant to NRS 622A.300(5)(a), the Findings and Recommendations of the Hearing
27 Officer are hereby approved by the Board in their entirety, with modification to the discipline, and

28 ///

1 are hereby specifically incorporated and made part of this Order by reference and are attached
2 hereto as **Exhibit 1**.

3 **VI.**

4 In accordance with the Synopsis and Analysis of Record, the Board hereby finds that the
5 count set forth in the Complaint, and as recapitulated in Paragraph II above, have been established
6 by a preponderance of the evidence.

7 **VII.**

8 If any of the foregoing Findings of Fact is more properly deemed a Conclusion of Law, it
9 may be so construed.

10 **CONCLUSIONS OF LAW**

11 **I.**

12 The Board has jurisdiction over Respondent and the Complaint, and an adjudication of this
13 matter by the Board members as set forth herein is proper.

14 **II.**

15 Respondent was timely and properly served with the Complaint, and all notices and orders
16 in advance of the hearing and adjudication thereon, in accordance with NRS and NAC
17 Chapters 630, NRS Chapters 241, 622A and 233B, and all legal requirements of due process.

18 **III.**

19 With respect to the allegations of the Complaint, the Board concludes that Respondent has
20 violated NRS 630.3065(2)(a) Knowing or Willful Failure to comply with a Board Order, as
21 alleged in Count I. Accordingly, Respondent is subject to discipline pursuant to NRS 630.352.

22 **IV.**

23 The Board finds that, pursuant to NRS 622.400, recovery from Respondent of reasonable
24 attorneys' fees and costs incurred by the Board as part of its investigation and disciplinary
25 proceedings against Respondent is appropriate. The Board has reviewed the Investigative
26 Committee's Memorandum of Costs and Disbursements and Attorneys' Fees, and the Board finds
27 them to be the actual fees and costs incurred by the Board as part of its investigative,
28 administrative and disciplinary proceedings against Respondent, and finds them to be reasonable,

1 necessary, and actually incurred based on: (1) the abilities, training, education, experience,
2 professional standing and skill demonstrated by Board staff and attorneys; (2) the character of the
3 work done, its difficulty, its intricacy, its importance, the time and skill required, the responsibility
4 imposed and the prominence and character of the parties where, as in this case, they affected the
5 importance of the litigation; (3) the work actually performed by the Board's attorneys and staff,
6 and the skill, time and attention given to that work; and (4) the product of the work and benefits to
7 the Board and the people of Nevada that were derived therefrom.

8 **V.**

9 If any of the foregoing Conclusions of Law is more properly deemed a Finding of Fact, it
10 may be so construed.

11 **ORDER**

12 Based upon the foregoing Findings of Fact and Conclusions of Law, and good cause
13 appearing therefore,

14 IT IS HEREBY ORDERED that:

15 1. Respondent has violated the Medical Practice Act, as alleged in the Complaint, as
16 follows: one (1) violation of NRS 630.3065(2)(a), Knowing or Willful Failure to comply with a
17 Board Order.

18 2. Pursuant to NRS 630.352(4)(e), the Board shall administer a written public
19 reprimand to Respondent.

20 3. Respondent's license shall be suspended for a period of one year, from
21 December 28, 2022, to December 27, 2023.² On December 28, 2023, Respondent's license status
22 shall be reinstated to an Active-Probation status.

23 4. Pursuant to NRS 630.352(4)(k), Respondent shall complete at the University of
24 San Diego Physician Assessment and Competency Evaluation Program (PACE), Competency
25 Assessment, or substantially similar assessment by another entity approved by the Board within
26 six (6) months of issuance of this Order. Any aforementioned hours of Continuing Medical
27

28 ² Pursuant to the Board's motion imposing discipline, the one-year suspension imposed upon Respondent shall take into account the time he has been suspended since the Order of Summary Suspension, which was served upon him on December 28, 2022.

OFFICE OF THE GENERAL COUNSEL

Nevada State Board of Medical Examiners

9600 Gateway Drive

Reno, Nevada 89521

(775) 688-2559

1 Education received for attending the program that is substantially related to PACE shall be in
2 addition to the requirements that are regularly imposed upon Respondent as a condition of
3 licensure in the State of Nevada pursuant to NAC 630.153(1).

4 5. Respondent shall reimburse the Board the reasonable and necessary costs and
5 expenses actually incurred in the investigation and prosecution of this case in the amount of seven
6 thousand four hundred and ninety-nine dollars, and twenty cents (\$7,499.20) within six (6) months of
7 service of this Order. The Board, and/or its designee, are granted the authority to collect any and all
8 funds due under this Order.

9 6. Investigation Case Nos. 18-18146, 19-18953, 20-19625, 20-19679, 20-19736, 21-
10 20367, 22-21285, 22-21357, 23-22654, 23-22790, and 23-22844 shall be dismissed with prejudice.

11 IT IS SO ORDERED.

12 DATED this 19th day of December, 2023.

13 NEVADA STATE BOARD OF MEDICAL EXAMINERS

14 By:



15 NICK M. SPIRTOS, M.D., F.A.C.O.G.

16 *President of the Board*

CERTIFICATION

I certify that the foregoing is the full and true original **FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER** on file in the office of the Board of Medical Examiners in the matter of **JON LANE SIEMS, M.D.**, Case No. 23-13009-1.

I further certify that Nick M. Spirtos, M.D., F.A.C.O.G., is the President of the Nevada State Board of Medical Examiners and that full force and credit is due to his official acts as such; and that the signature to the foregoing ORDER is the signature of said Nick M. Spirtos, M.D., F.A.C.O.G.

IN WITNESS THEREOF, I have hereunto set my hand in my official capacity as Secretary-Treasurer of the Nevada State Board of Medical Examiners.

DATED this 19th day of December, 2023.

NEVADA STATE BOARD OF MEDICAL EXAMINERS

By: Maggie Arias-Petrel
MAGGIE ARIAS-PETREL
Secretary-Treasurer and Public Member of the Board

EXHIBIT 1

EXHIBIT 1

1 **BEFORE THE BOARD OF MEDICAL EXAMINERS**

2
3 **OF THE STATE OF NEVADA**

FILED

MAY - 9 2023

NEVADA STATE BOARD OF
MEDICAL EXAMINERS

By: _____

4
5
6 In the Matter of Charges and Complaint

Case No.: 23-13009-1

7 Against

(Case No.: 19-13009-2)

8 JON L. SIEMS, M.D.,

9 Respondent.

10
11 **SYNOPSIS AND ANALYSIS OF THE RECORD**

12 Hearing Officer Charles B. Woodman, having heard a formal pre-hearing
13 conference, as well as the formal Hearing of this matter, hereby presents the Nevada State
14 Board of Medical Examiners with his formal Analysis of this case. This Analysis is based
15 upon all evidence adduced at the formal Hearing, this Hearing Officer's findings of facts
16 and conclusions of law, which findings include the credibility of the witnesses who gave
17 evidence.

18 **RELEVANT BACKGROUND**

19 This is a combined case as shown in the caption, whereby the Investigative
20 Committee ("IC") of the Board of Medical Examiners of the State of Nevada ("Board")
21 alleged that Dr. Jon Lane Siems, M.D., ("Dr. Siems") failed to comply with the Settlement
22 Agreement he entered into as resolution to Board Case 19-13009-2. The final page of that
23 Settlement Agreement contains the Board's order mandating compliance with the
24 Agreement. A duly noticed formal hearing of the matter was held before the undersigned
25 Hearing Officer on April 13, 2023 at the Northern Nevada office of the Board in Reno.
26 Mr. Donald K. White, Esq., Senior Deputy General Counsel appeared on behalf of the
27 Board's IC. Dr. Siems appeared via videoconference from the Board's Southern Nevada
28 office representing himself in pro se. The matter was duly recorded by a licensed reporter
and is a matter of public record.

1 The formal Complaint in Board Case 23-13009-1 alleges a single count of
2 Knowing or Willful Failure to Comply with a Board Order, a violation of NRS
3 630.3065(2)(a), which states that:

4 The following acts, among others, constitute grounds for initiating disciplinary
5 action or denying licensure:

6 * * *

7 2. Except as otherwise provided in NRS 630.2672, knowingly or willfully
8 failing to comply with:

9 (a) A regulation, subpoena or order of the Board or a committee designated
10 by the Board to investigate a complaint against a physician;

11 More specifically, the IC alleges at paragraphs 8-9 of the Complaint that:

12 8. Respondent [Dr. Siems] knowingly or willfully failed to comply with
13 an order of the Board when he failed to complete 20 hours of CMEs or the PACE
14 Program by or within the deadline he agree to with the Board [in Case 19-13009-
15 2].

16 9. Additionally, the Settlement Agreement [in Case 19-13009-2] that
17 Respondent signed and was subsequently approved by the Board clearly states
18 that Respondent agreed to be placed on stayed suspension and that if he violated
19 any terms of the agreement that the IC shall be authorized to immediately suspend
20 Respondent's license to practice medicine in Nevada pending an Order to Show
21 Cause hearing.

22 Accordingly, the two cases are inextricably linked inasmuch as Dr. Siems' alleged
23 violation of the Order at the final page of the Settlement Agreement entered into in Case
24 19-13009-2 makes up the entirety of the basis for Case 23-13009-1. Further, it appears
25 that the Board may determine to take formal action in both such cases.

26 At commencement of the formal Hearing of this matter, Dr. Siems was again
27 advised of his right to be represented by counsel, as this Hearing Officer has so advised
28 him in prior proceedings. The Hearing proceeded with Dr. Siems electing to represent
himself. See Transcript at page 5 ("T.5").

It is noted very significantly here that the Board has already determined that Dr.
Siems "willfully and knowingly violated his Settlement Agreement" via the Board's Order
of Suspension And Notice of Hearing filed December 27, 2022. That Order was issued
summarily based on evidence proffered by the IC. A duly noticed formal Order to Show

1 Cause hearing to determine whether that summary suspension should continue was heard
2 before the undersigned on February 2, 2023, with Dr. Siems in attendance, also
3 representing himself at that time. After that hearing and in light of evidence provided by
4 the IC and by Dr. Siems, this Hearing Officer confirmed the suspension pending further
5 decisions by the Board and pending adjudication of the new complaint in Case 23-13009-
6 1. The April 13 hearing was held to formally adjudicate Case 23-13009-1. At the hearing,
7 the IC's burden was to prove by a preponderance of the evidence that Dr. Siems committed
8 the violation alleged in the Complaint in Case 23-13009-1, i.e. that he knowingly or
9 willingly failed to comply with the Board's order confirming his Settlement Agreement.

10 **THE EVIDENCE**

11 The evidence adduced at the April 13 hearing is summarized as follows (bold and
12 italics are inserted by the Hearing Officer):

13 The IC's Deputy Chief of Investigations and Compliance Officer Johnna LaRue
14 testified that:

15 Following the Board's approval of the Settlement Agreement entered into between
16 Dr. Siems and the IC, Ms. LaRue mailed notice of the Board's decision to Dr. Siems' then
17 counsel on December 14, 2021. T.15-17;

18 Ms. LaRue's letter, including a copy of the Settlement Agreement, disclosed the
19 specific requirements with which Dr. Siems would have to comply to meet his obligations
20 under the Settlement Agreement, and the fact that he would have one year from the date of
21 the Board hearing to so comply, which would allow Dr. Siems until December 3, 2022 to
22 meet all the conditions outlined in the Settlement Agreement, and required by the Board's
23 Order thereon. T.18-20;

24 Receipt of Ms. LaRue's letter containing the Settlement Agreement and Board
25 Order by Dr. Siems' then counsel¹ was confirmed via documentary evidence showing that
26 it was received on December 18, 2021. T.21-22, 26, IC Exhibit 4;

27
28 ¹ As noted, Dr. Siems was not represented by counsel at the formal Hearing in Case 19-
13009-2. However, he retained counsel after the Hearing which culminated in execution
of the Settlement Agreement.

1 Dr. Siems and his counsel both signed the Settlement Agreement. T.28;
2 Via a November 18, 2022 email to the IC's counsel Mr. White, Dr. Siems' counsel
3 advised Mr. White that he was no longer representing Dr. Siems. T.29-30;
4 At no time did Dr. Siems' counsel or any other person ever contact Ms. LaRue or
5 anyone else at the Board to request an extension of time for Dr. Siems to complete his
6 requirements under the Settlement Agreement. T.31-33;
7 Extensions of time to comply with settlement agreement conditions are routinely
8 given under reasonable circumstances. T.33-34;
9 Dr. Siems did not complete all his CMEs required by the Settlement Agreement
10 within the mandated one-year period, nor did he complete the PACE program. T.34-35.
11 Rather, the last required CMEs were completed within a few days following the February
12 2, 2023 hearing on the license suspension, (which would have been approximately two
13 months late) . T.35;
14 Dr. Siems pressed Ms. LaRue on whether the Board should have required him (Dr.
15 Siems) to complete the PACE program when he discovered that the program could not
16 accommodate him. However, Ms. LaRue responded by saying that the Board would have
17 amended the Settlement Agreement had Dr. Siems contacted the Board within the one-year
18 period to advise that PACE could not accommodate him. T.38-43;
19 In response to Dr. Siems raising the issue of possibly not receiving a copy of the
20 Settlement Agreement from his counsel, Ms. LaRue advised that she had worked a number
21 of times in the past with the same attorney who represented Dr. Siems, and she has never
22 had any issues with practitioners not receiving documents from that attorney. T.45-46;
23 Had the IC known at any time prior to expiration of his one-year timeline that the
24 PACE program could not presently accommodate Dr. Siems, arrangements would have
25 been made to take the matter back to the Board to alter the terms of the Settlement
26 Agreement. T.47-48;
27 Dr. Siems recognized a copy of the Settlement Agreement and acknowledged that
28 he signed it. T.51-52;

1 ***Dr. Siems acknowledged that he knew his deadline for complying with the terms***
2 ***of the Settlement Agreement was December 3, 2022. T.54;***

3 ***At some time during December, 2022, Dr. Siems had his manager Isabella call***
4 ***the IC to provide an update on his process of complying with the Settlement Agreement,***
5 ***but not to request an extension of time. T.55-56;***

6 ***Dr. Siems confirmed that while he does not recall receiving the IC's letter via his***
7 ***counsel following the approval of the Settlement Agreement, that does not mean that he***
8 ***does not remember the "settlement demands." "That's not my claim. I was aware of***
9 ***what the settlement demands were." On questioning by Mr. White, Dr. Siems***
10 ***acknowledged he was aware of the settlement demands as of the date he signed the***
11 ***document, i.e. November 24, 2021. T.57;***

12 Email correspondence between Dr. Siems and the PACE program showed that Dr.
13 Siems was not yet enrolled with PACE as of December 20, 2022, as his outstanding
14 balance due for participation was \$10,000.00. The balance due check was dated December
15 30, 2022, three days after service of the suspension order. T.61, 63-65, Respondent's
16 Exhibits p.0003, 00095;

17 ***The first time that Dr. Siems, or his office personnel, contacted the PACE***
18 ***program was October 31, 2022 (or approximately 33 days prior to the compliance***
19 ***deadline in the Settlement Agreement). T.63;***

20 ***When asked directly if he complied with the terms of the Settlement Agreement,***
21 ***Dr. Siems answered "No." T.65;***

22 Dr. Siems was advised that he had the opportunity to present a defense case, but as
23 the Board and its IC have the burden of proof, he (Dr. Siems) had no obligation to do so.
24 Dr. Siems chose to provide a defense case. T.67-68;

25 Beginning at page 75 of the transcript, Dr. Siems provided a quite thorough history
26 of some highly traumatic personal crises which began happening in his life in November,
27 2022, i.e. approximately one month or less before the December 3, 2022 deadline for
28 complying with the Settlement Agreement. Those circumstances include a November 22,
2022 trip to Europe for approximately two weeks due to family medical emergencies,

1 ongoing emergent care of a young man that Dr. Siems refers to as his step-son upon return
2 to the United States from Europe, and the necessity of a restraining order on December 23,
3 2022. The undersigned Hearing Officer declines to include details of those matters here to
4 protect the privacy of Dr. Siems' and his family members. Suffice it to say that
5 circumstances involving the mother of his children, and the young man whom Dr. Siems
6 refers to as his step-son, were in crisis stage, which, according to sworn testimony, were
7 physically and emotionally consuming. T.75-141;

8 Dr. Siems received a letter from the PACE program advising that the program
9 could not accommodate Dr. Siems. That letter was dated April 6, 2023. T.82,
10 Respondent's Exhibits p.0147;

11 Dr. Siems believes it is the Board's responsibility to determine whether or not the
12 PACE program could accommodate him. Dr. Siems does not feel it is his responsibility to
13 make that determination. T.84;

14 Dr. Siems testified that he waited four months, i.e. until the PACE program letter of
15 April 6, 2023, to discover / confirm that PACE could not accommodate him. T.89;

16 Dr. Siems asked his witness Amel Youssef, O.D., if the trauma they jointly
17 experienced because of her son's medical emergencies could distract a person "enough that
18 mundane parts of life, perhaps, were ignored and made oblivious?" She testified in the
19 affirmative. T.114-115;

20 ANALYSIS

21 This Hearing Officer did not find any witness who testified at the hearing to have
22 credibility issues. While the witnesses called by Dr. Siems could be argued to be self-
23 serving, those witnesses presented as genuine and factual. This Hearing Officer takes their
24 testimony, along with all of that elicited by the IC, at full face value.

25 Dr. Siems executed the Settlement Agreement on November 24, 2021. He soon
26 thereafter learned that pursuant to an Order of the Board, he had until December 3, 2022,
27 to complete the conditions of his resolution. He first contacted the PACE program on
28 October 31, 2022, one month and three days before his deadline for full completion of all
conditions. That deadline came and went without Dr. Siems handling his CME or PACE

1 obligations. On December 27, 2022, Dr. Siems' license was summarily suspended for his
2 failure to comply with the conditions of the Settlement Agreement. A formal noticed
3 hearing confirming the suspension was held February 2, 2023. It was after that hearing
4 that Dr. Siems completed his CME requirements, which was more than two months out of
5 compliance. Dr. Siems received a letter confirming that the PACE program could not
6 accommodate him on or after April 6, 2023, just a week prior to the formal Hearing on the
7 Complaint alleging his failure to comply. And while Dr. Siems had his office manager
8 contact the IC with a status update on his compliance at some time in December, 2022,
9 (most likely after his December 3 deadline), at no time – either before or after the deadline
10 - did Dr. Siems or his staff ever request additional time to complete his requirements under
11 the Settlement Agreement.

12 Dr. Siems offered what is genuinely a compassion-evoking explanation of a series
13 of unfortunate and even tragic events in his life - not the results of his doing - and which no
14 doubt required a great deal of his time and attention. The evidence is clear that he
15 responded well to loved ones in need. His actions were indeed admirable.

16 Unfortunately, Dr. Siems' defense is measured against three harsh realities. First,
17 as he readily acknowledged, Dr. Siems failed to comply with the terms of his Settlement
18 Agreement and the Board's Order mandating such. Second, Dr. Siems made no contact
19 with the PACE program till he was only thirty-three days away from his deadline. Third,
20 Dr. Siems did not reach out to the IC until after his deadline passed, and even when he had
21 his office manager call, it was to provide a status update and not to seek additional time to
22 comply. Further, it is apparent from the record that the great majority of the challenges
23 that occurred in Dr. Siems' personal life arose either just prior to his compliance deadline –
24 and some even occurred thereafter (such as the necessity of obtaining a restraining order).

25 Dr. Siems also offers as part of his defense that it should have been the Board's
26 responsibility to ensure that the PACE program could accommodate his area of specialty /
27 expertise before including such in the Settlement Agreement. While not fully articulated in
28 the record, it appears to the Hearing Officer that those involved in crafting the Settlement
Agreement had ample cause to believe based on past experience that the PACE program

1 could serve a physician of Dr. Siems' specialty. It is also apparent from the record that
2 Covid-19 had impacted the ability of the PACE program to accommodate some specialties.
3 Accordingly, the Hearing Officer does not recognize a basis to leave upon the Board sole
4 responsibility for the potential availability of the PACE program to function for Dr. Siems.
5 As stated repeatedly by the IC's counsel Mr. White, had Dr. Siems not waited 333 days to
6 initiate contact with PACE, this case could have been quite different. Ms. LaRue made
7 sufficiently clear that timely notice of any deficiency in the ability of the PACE program to
8 serve in this case would have allowed the Board to amend its requirements. Finally, there
9 is the logical reality that the party on the hook, i.e. the one with his licensure at stake,
10 ought to engage in sufficient due diligence to ensure he is doing all that is required to
11 preserve his valuable practice. Dr. Siems offered no explanation as to why he did not
12 reach out to PACE until October 31, 2022, or why he did not complete his CMEs from the
13 time he signed the Settlement Agreement in November, 2021, until his personal challenges
14 arose in late November 2022. Finally, it must be recognized that Dr. Siems' counsel – who
15 was an extension of Dr. Siems, participated in the negotiating and crafting of the
16 Settlement Agreement. And it was Dr. Siems who executed that Agreement. And
17 accordingly, Dr. Siems shares responsibility for what that Agreement contains.

18 It is also significant that the statute at issue here is one of strict liability. While Dr.
19 Siems argues that the statute does not prohibit consideration of extenuating circumstances,
20 that does not obviate the plain language of the law that "knowingly or willfully failing to
21 comply with . . . [an] order of the Board constitutes grounds for initiating disciplinary
22 action. The Settlement Agreement became an Order of the Board when the Board
23 approved it. The Order is the final page of the Agreement. Dr. Siems candidly admitted
24 he knew that he did not comply with that Order. The knowing prong of the statute is thus
25 satisfied. And while not a necessary finding or conclusion since either a knowing *or*
26 willful violation will trigger the ramifications of the statute, it can reasonably be
27 determined that Dr. Siems' failure to comply was willful considering the long delay before
28 he took any action whatsoever. The Hearing Officer finds Dr. Siems' passive description
of the Board's Order as a "mundane part of life" as a reflection of the amount of concern

1 he had for the Order, which is further reflected in the long delay before any action was
2 taken whatsoever. In any event, the knowing violation is clear and convincing, thus
3 exceeding the IC's burden of proving their case by a preponderance of the evidence.

4 **CONCLUSION**

5 This Hearing Officer, while readily acknowledging the significant trying life events
6 experienced by Dr. Siems and his family, must recommend that the Board find that
7 Respondent Dr. Jon Lane Siems, M.D., violated the statute as alleged in the Complaint, in
8 that he knowingly failed to comply with the terms of the Order contained within the
9 Settlement Agreement. There is no doubt room for compassion for Dr. Siems in all he
10 experienced in his personal life right around the compliance deadline. But those
11 extenuating circumstances do not negate the knowing failure to meet his mandated
12 obligations, especially when he took no action to inform the Board of those circumstances
13 and/or to seek additional time to comply, or to have the requirements duly amended.

14
15 Respectfully submitted this 8th day of May, 2023.

16
17 

18 _____
19 Charles B. Woodman, Hearing Officer
20
21
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27
28

EXHIBIT 2

EXHIBIT 2

NEVADA STATE BOARD OF MEDICAL EXAMINERS

9600 Gateway Drive
Reno, NV 89521

Nick M. Spirtos, M.D., F.A.C.O.G.
Board President



Edward O. Cousineau, J.D.
Executive Director

December 19, 2023

Jon Lane Siems, M.D.
41493 Margarita Road, #G109
Temecula, CA 92591-5570

Re: Compliance Case #23-13009-1

Dear Dr. Siems:

On December 1, 2023, the Nevada State Board of Medical Examiners, approved and accepted the Findings of Fact, Conclusions of Law and Order regarding the complaint filed on Case No. 23-13009-1 finding the following:

- Respondent has violated the Medical Practice Act, as alleged in the Complaint, as follows: one (1) violation of NRS 630.3065(2)(a), Knowing or Willful Failure to comply with a Board Order.

As a result, the Board entered its **ORDER** as follows:

- Pursuant to NRS 630.352(4)(e), the Board shall administer a written public reprimand to Respondent;
- Respondent's license shall be suspended for a period of one year, from December 28, 2022 to December 27, 2023. On December 28, 2023, Respondent's license status shall be reinstated to Active-Probation status;
- Respondent shall complete at the University of San Diego Physician Assessment and Competency Evaluation Program (PACE), Competency Assessment, or substantially similar assessment by another entity approved by the Board within six (6) months of issuance of this Order. Any aforementioned hours of Continuing Medical Education received for attending the program that is substantially related to PACE shall be in addition to the requirements that are regularly imposed upon Respondent as a condition of licensure in the State of Nevada pursuant to NAC 630.153(1);
- Respondent shall reimburse the Board the reasonable and necessary costs and expenses actually incurred in the investigation and prosecution of this case in the amount of seven thousand four hundred and ninety-nine dollars, and twenty cents (\$7,499.20) within six (6) months of service of this Order. The Board, and/or its designee, are granted the authority to collect any and all funds due under this Order;
- Investigation Case Nos. 18-18146, 19-18953, 20-19625, 20-19679, 20-19736, 21-20367, 22-21285, 22-21357, 23-22654, 23-22790, and 23-22844 shall be dismissed with prejudice.

Your compliance with the terms and conditions pertaining to **CME's** will be monitored by Johnna S. LaRue, CMBI, Compliance Officer. Please contact me at (775) 324-9377 for any questions or concerns regarding CME's.

Your compliance with the terms and conditions pertaining to **Administrative Costs and Fines** will be monitored by Donya Jenkins, Chief of Finance and Human Resources. Please contact Ms. Jenkins at (775) 324-9354 for any questions or concerns regarding payment of costs and fines.

Please make note of the Board's new policies for making payments, credit cards, cashier's checks and money orders are the only form of payment accepted.

Payment can be made online at <https://nsbme.us.thentiacloud.net/webs/nsbme/service/#/login>.

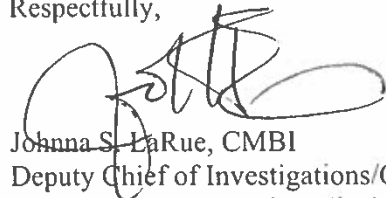
Included in the Order are mandatory actions that you must fulfill some of which include:

- 1.) The costs in the amount of \$7,499.20 are due by **June 1, 2024**.
- 2.) The University of San Diego Physician Assessment and Competency Evaluation Program (PACE), Competency Assessment, or substantially similar assessment by another entity is due by **June 1, 2024**.

Please contact me, in writing, **within 30 days** and provide the most expeditious method of contacting you. Thereafter, please update me immediately upon any change in your contact information. You may mail the information to the address below, fax it to 775-688-2553 or e-mail it to me at jlalrue@medboard.nv.gov. In addition, any additional information required from you should be submitted to the same contact numbers and address.

If you have any questions, please call, or write. Thank you for your cooperation on this matter.

Respectfully,



Johnna S. LaRue, CMBI
Deputy Chief of Investigations/Compliance Officer
Nevada State Board of Medical Examiners
9600 Gateway Drive
Reno, NV 89521
(775) 324-9377

BEFORE THE BOARD OF MEDICAL EXAMINERS
OF THE STATE OF NEVADA

* * * * *

In the Matter of the Charges and Complaint

Case No.: 24-13009-1

Against:

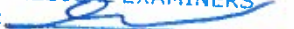
JON LANE SIEMS, M.D.,

Respondent.

FILED

SEP 17 2024

NEVADA STATE BOARD OF
MEDICAL EXAMINERS

By: 

PROOF OF SERVICE

I, Meg Byrd, Legal Assistant for the Nevada State Board of Medical Examiners, hereby
certify that on September 16, 2024, I sent the **ORDER FOR SUSPENSION AND NOTICE OF
HEARING** to:

JON LANE SIEMS, M.D.
31852 Via Patito
Coto de Caza, CA 92679

Via Federal Express Tracking number [778618923066] and was delivered on September 17, 2024.

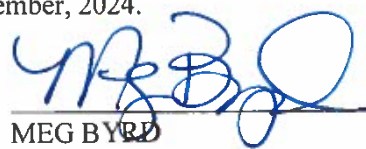
See Exhibit 1.

A copy of the document was also personally served at:

JON LANE SIEMS, M.D.
c/o Eyecare Associates
3810 E. Flamingo Road
Las Vegas, NV 89121-6227

See Exhibit 2:

DATED this 17th day of September, 2024.


MEG BYRD

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



September 17, 2024

Dear Customer,

The following is the proof-of-delivery for tracking number: 778618923066

Delivery Information:

Status:	Delivered	Delivered To:	Residence
Signed for by:	J.SIEMS	Delivery Location:	31852 VIA PATITO
Service type:	FedEx Priority Overnight		
Special Handling:	Deliver Weekday; Residential Delivery; Adult Signature Required		Coto de Caza, CA, 92679
		Delivery date:	Sep 17, 2024 12:32

Shipping Information:

Tracking number:	778618923066	Ship Date:	Sep 16, 2024
		Weight:	1.0 LB/0.45 KG

Recipient:
Jon Lane Siems, MD,
31852 Via Patito
Coto de Caza, CA, US, 92679

Shipper:
Meg Byrd, Nevada State Board of Med Exam
9600 Gateway Drive
RENO, NV, US, 89521

Reference 24-13009-1 Siems

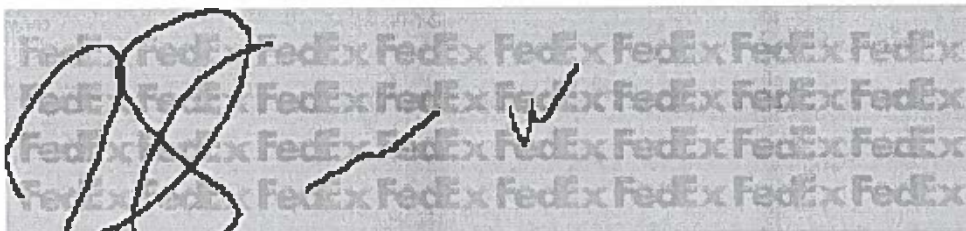


EXHIBIT 2

EXHIBIT 2

BEFORE THE BOARD OF MEDICAL EXAMINERS
OF THE STATE OF NEVADA

* * * * *

In the Matter of Charges and
Complaint Against:
JON LANE SIEMS, M.D.,
Respondent.

Case No. 24-13009-1

AFFIDAVIT OF SERVICE

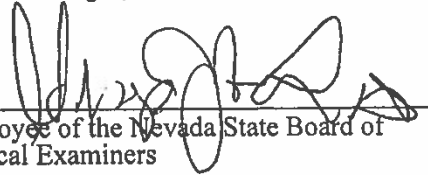
I, George Tuitoti, Deputy Chief of Investigation, as an employee of the Nevada State Board of Medical Examiners, being first duly sworn, declare under penalty of perjury under the laws of the State of Nevada that the following assertions are true to the best of my knowledge and:

I personally served / delivered to Respondent's last known-address below, on the 17th day of September, 2024, 10:50 am to Claudia Guajardo, a person over the age of 18 who is employed at or owns the following business:

1. ORDER OF SUSPENSION AND NOTICE OF HEARING at:

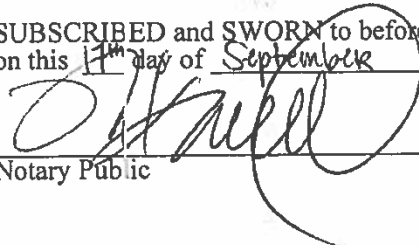
Eyecare Associates 3810 E. Flamingo Road, Las Vegas, NV 89121-6227

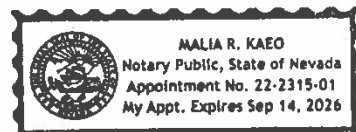
Further your Affiant sayeth naught.


Employee of the Nevada State Board of
Medical Examiners

STATE OF Nevada)
COUNTY OF Clark) ss.

SUBSCRIBED and SWORN to before me by George Tuitoti
on this 17th day of September, 2024.


Notary Public



BEFORE THE BOARD OF MEDICAL EXAMINERS
OF THE STATE OF NEVADA

* * * * *

In the Matter of Charges and Complaint

Case No. 24-13009-1

Against:

FILED

JON LANE SIEMS, M.D.,

OCT 08 2024

Respondent.

NEVADA STATE BOARD OF
MEDICAL EXAMINERS

By: *W. Wade*

COMPLAINT

The Investigative Committee¹ (IC) of the Nevada State Board of Medical Examiners (Board), by and through Donald K. White, Senior Deputy General Counsel and attorney for the IC, having a reasonable basis to believe that Jon Lane Siems, M.D. (Respondent) violated the provisions of Nevada Revised Statutes (NRS) Chapter 630 and Nevada Administrative Code (NAC) Chapter 630 (collectively, the Medical Practice Act), hereby issues its Complaint, stating the IC's charges and allegations as follows:

The IC alleges the following facts:

1. Respondent is currently, and was at all times relevant to this Complaint, licensed in active-probation status (License No. 9250). Respondent was issued his license from the Board on December 20, 1999, pursuant to the provisions of NRS Chapter 630.

2. On December 19, 2023, Case No. 23-13009-1 came before the Board during a regularly scheduled Board Meeting and was adjudicated by the Board. The Board found that Respondent had violated a Board Order and issued its Findings of Fact, Conclusions of Law and Order, attached hereto as **Exhibit 1**.

3. In a letter dated December 19, 2023, Johnna LaRue, Deputy Chief of Investigations and Compliance Officer for the Board, in normal course mailed a letter via first class mail with

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 Bret W. Frey, M.D., Carl N. Williams, Jr., M.D., and Col. Eric D. Wade (USAF (Ret.)).

1 return receipt required, postage prepaid to Respondent which provided explicit instructions
2 regarding his specific requirements and the deadlines to achieve compliance with the Board-
3 approved Settlement Agreement.

4 4. The Findings of Fact, Conclusions of Law and Order, as well as Ms. LaRue's letter
5 clearly stated that Respondent had six (6) months to complete the Physician Assessment and Clinical
6 Education Program at the University of San Diego School of Medicine (PACE) or a substantially
7 similar program. Additionally, the Board stated that Respondent shall reimburse the Board the
8 necessary costs and expenses actually incurred in the investigation and prosecution of the case in
9 the amount of seven thousand four hundred and ninety-nine dollars and twenty cents (\$7,499.20)
10 within six (6) months of service of the Findings of Fact, Conclusions of Law and Order.

11 5. Respondent did not reimburse the Board for the expenses as Ordered. At this time,
12 the Board has still not received his payment for costs and expenses in the amount of seven thousand
13 four hundred and ninety-nine dollars and twenty cents (\$7,499.20) which is beyond the time limit
14 provided in the Order, June 1, 2024.

15 **COUNT I**

16 **NRS 630.3065(2)(a) - Knowing or Willful Failure to Comply with a Board Order**

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

19 7. NRS 630.3065(2)(a) provides that the knowing or willful failure to comply with an
20 order of the Board constitutes grounds for initiating disciplinary action.

21 8. Respondent knowingly or willfully failed to comply with an order of the Board when
22 he failed to pay the costs and expenses due in the amount of seven thousand four hundred and
23 ninety-nine dollars and twenty cents (\$7,499.20) by June 1, 2024.

24 9. Additionally, the Findings of Fact, Conclusions of Law and Order clearly states that
25 Respondent was to reimburse the Board in the amount of seven thousand four hundred and ninety-
26 nine dollars and twenty cents (\$7,499.20) within six (6) months of the receipt of the Order or
27 June 1, 2024.

28 ///

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

WHEREFORE, the Investigative Committee prays:

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

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

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

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

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

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

DATED this 8th day of October, 2024.

INVESTIGATIVE COMMITTEE OF THE
NEVADA STATE BOARD OF MEDICAL EXAMINERS

By: _____

DONALD K. WHITE
Senior Deputy General Counsel
9600 Gateway Drive
Reno, NV 89521
Tel: (775) 688-2559
Email: dwhite@medboard.nv.gov
Attorney for the Investigative Committee

VERIFICATION

STATE OF NEVADA)
 : ss.
COUNTY OF WASHOE)

Bret W. Frey, M.D., having been duly sworn, hereby deposes and states under penalty of perjury that he is the Chairman of the Investigative Committee of the Nevada State Board of Medical Examiners that authorized the Complaint against the Respondent herein; that he has read the foregoing Complaint; and that based upon information discovered in the course of the investigation into a complaint against Respondent, he believes that the allegations and charges in the foregoing Complaint against Respondent are true, accurate and correct.

DATED this 8th day of October, 2024.

INVESTIGATIVE COMMITTEE OF THE
NEVADA STATE BOARD OF MEDICAL EXAMINERS

By:


BRET W. FREY, M.D.

Chairman of the Investigative Committee

EXHIBIT 1

EXHIBIT 1

BEFORE THE BOARD OF MEDICAL EXAMINERS
OF THE STATE OF NEVADA

* * * * *

In the Matter of Charges and Complaint
Against
JON LANE SIEMS, M.D.,
Respondent.

Case No. 23-13009-1

FILED

DEC 19 2023

NEVADA STATE BOARD OF
MEDICAL EXAMINERS
By: _____

FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER

This case was presented for adjudication and decision before the Nevada State Board of Medical Examiners (Board), during a regularly scheduled Board meeting on December 1, 2023, at 8:40 a.m., (Pacific Standard Time), located at 325 E. Warm Springs Road, Suite 225, Las Vegas, NV 89119, video conferenced to 9600 Gateway Drive, Reno, NV 89521. Jon Lane Siems, M.D., (Respondent), was properly served with a notice of the adjudication, including the date, time and location, and was present and not represented by counsel. The adjudicating members of the Board participating in these Findings of Fact, Conclusions of Law, and Order (FOFCOL) were: Nick M. Spirtos M.D., F.A.C.O.G., Ms. Maggie Arias-Petrel, Ms. Pamela Beal, Irwin B. Simon, M.D., FACS, Joseph Olivarez, P.A.-C, and Jason B. Farnsworth, RRT, MBA. Chricy E. Harris, Esq., Deputy Attorney General, served as legal counsel to the Board.

The Board, having received and read the Complaint and exhibits admitted at the hearing of this matter, the Hearing Officer's Findings and Recommendations¹, and the transcript of the hearing, made its decision pursuant to its authority and provisions of the Nevada Revised Statutes (NRS) Chapter 630 and Nevada Administrative Code (NAC) Chapter 630 (collectively, the Medical Practice Act), NRS Chapter 622A, and NRS Chapter 233B, as applicable.

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¹ The Hearing Officer's Findings and Recommendations were prepared by Charles Woodman, Esq., who was appointed as Hearing Officer under NRS 630.106 in this matter and presided over the hearing.

1 The Board, after due consideration of the record, evidence, and law, and being fully
2 advised in the premises, makes its FINDINGS OF FACT, CONCLUSIONS OF LAW, AND
3 ORDER in this matter, as follows:

4 **FINDINGS OF FACT**

5 **I.**

6 Respondent held an Active-Probation license to practice medicine in the State of Nevada
7 issued by the Board from December 3, 2021, until December 27, 2022. An Order for Summary
8 Suspension of Respondent's license was filed on December 27, 2022, served on December 27,
9 2022, which immediately suspended Respondent's license until a show cause hearing could be
10 held to determine if his medical license would be reinstated during the regular hearing process.
11 On February 2, 2023, a show cause hearing was held at the office of the Nevada State Board of
12 Medical Examiners and the Hearing Officer entered his order during the hearing that continued
13 the suspension of Respondent's medical license throughout the hearing process.

14 **II.**

15 On January 30, 2022, the Investigative Committee filed its formal Complaint in
16 Case No. 23-13009-1, alleging Respondent violated the Medical Practice Act. Respondent was
17 personally served with the Complaint by a USPS Certified mail on March 3, 2023. The Complaint
18 alleges as follows: Count I, a violation of NRS 630.3065(2)(a) Knowing or Willful Failure to
19 Comply with a Board Order.

20 Respondent did not answer or file a response to the allegations set forth in the Complaint.
21 Pursuant to NAC 630.460(4), the allegations of the Complaint are deemed generally denied if an
22 answer is not filed.

23 **III.**

24 An Early Case Conference was held at the conclusion of the show cause hearing.
25 Donald K. White, Senior Deputy General Counsel was present on behalf of the Investigative
26 Committee (IC) of the Board, with Hearing Officer Charles Woodman, Esq., Respondent
27 participated in the Early Case Conference and show cause hearing but was not represented by an
28 attorney.

1 In compliance with NAC 630.465 an Order After Prehearing and Order Confirming
2 Hearing Date was filed March 1, 2023, setting dates for the formal hearing calendared to
3 commence on April 13, 2023, at the Office of the Nevada State Board of Medical Examiners,
4 9600 Gateway Drive, Reno, Nevada 89521 video conferenced to the Board's Las Vegas Office,
5 located at 325 E. Warm Springs Road, Suite 225, Las Vegas, NV 89119. All documents intended
6 to be introduced as evidence in the case were to be exchanged on or before March 13, 2023.
7 Respondent was served this Order via USPS Certified Mail on March 6, 2023, at his address of
8 record.

9 IV.

10 On April 13, 2023, as duly noticed and ordered, a hearing was held before the Hearing
11 Officer to receive evidence and to hear arguments of both parties. Legal counsel for the
12 Investigative Committee, Donald K. White, Senior Deputy General Counsel appeared, along with
13 Respondent, without legal counsel, and Hearing Officer Charles Woodman, Esq. Mr. White
14 presented the IC's case, offered documentary evidence, and presented witness testimony. Exhibits
15 one (1) through (4) from the IC and several of Respondent's exhibits, were marked and admitted
16 into evidence.

17 The Hearing Officer provided the Synopsis and Analysis of Record, filed May 9, 2023.
18 This matter was scheduled for final adjudication on December 1, 2023, at a regularly scheduled
19 Board meeting.

20 The notice of the adjudication was sent via USPS Certified Mail on October 30, 2023, and
21 was delivered to Respondent on November 3, 2023, at 10:14 a.m.

22 A copy of the adjudication materials along with a copy of the Hearing Officer's Synopsis
23 and Analysis of Record were mailed via Fed Ex 2-Day and were delivered to Respondent's
24 address of record on November 10, 2023.

25 V.

26 Pursuant to NRS 622A.300(5)(a), the Findings and Recommendations of the Hearing
27 Officer are hereby approved by the Board in their entirety, with modification to the discipline, and

28 ///

1 are hereby specifically incorporated and made part of this Order by reference and are attached
2 hereto as **Exhibit 1**.

3 **VI.**

4 In accordance with the Synopsis and Analysis of Record, the Board hereby finds that the
5 count set forth in the Complaint, and as recapitulated in Paragraph II above, have been established
6 by a preponderance of the evidence.

7 **VII.**

8 If any of the foregoing Findings of Fact is more properly deemed a Conclusion of Law, it
9 may be so construed.

10 **CONCLUSIONS OF LAW**

11 **I.**

12 The Board has jurisdiction over Respondent and the Complaint, and an adjudication of this
13 matter by the Board members as set forth herein is proper.

14 **II.**

15 Respondent was timely and properly served with the Complaint, and all notices and orders
16 in advance of the hearing and adjudication thereon, in accordance with NRS and NAC
17 Chapters 630, NRS Chapters 241, 622A and 233B, and all legal requirements of due process.

18 **III.**

19 With respect to the allegations of the Complaint, the Board concludes that Respondent has
20 violated NRS 630.3065(2)(a) Knowing or Willful Failure to comply with a Board Order, as
21 alleged in Count I. Accordingly, Respondent is subject to discipline pursuant to NRS 630.352.

22 **IV.**

23 The Board finds that, pursuant to NRS 622.400, recovery from Respondent of reasonable
24 attorneys' fees and costs incurred by the Board as part of its investigation and disciplinary
25 proceedings against Respondent is appropriate. The Board has reviewed the Investigative
26 Committee's Memorandum of Costs and Disbursements and Attorneys' Fees, and the Board finds
27 them to be the actual fees and costs incurred by the Board as part of its investigative,
28 administrative and disciplinary proceedings against Respondent, and finds them to be reasonable,

1 necessary, and actually incurred based on: (1) the abilities, training, education, experience,
2 professional standing and skill demonstrated by Board staff and attorneys; (2) the character of the
3 work done, its difficulty, its intricacy, its importance, the time and skill required, the responsibility
4 imposed and the prominence and character of the parties where, as in this case, they affected the
5 importance of the litigation; (3) the work actually performed by the Board's attorneys and staff,
6 and the skill, time and attention given to that work; and (4) the product of the work and benefits to
7 the Board and the people of Nevada that were derived therefrom.

8 V.

9 If any of the foregoing Conclusions of Law is more properly deemed a Finding of Fact, it
10 may be so construed.

11 **ORDER**

12 Based upon the foregoing Findings of Fact and Conclusions of Law, and good cause
13 appearing therefore,

14 IT IS HEREBY ORDERED that:

15 1. Respondent has violated the Medical Practice Act, as alleged in the Complaint, as
16 follows: one (1) violation of NRS 630.3065(2)(a), Knowing or Willful Failure to comply with a
17 Board Order.

18 2. Pursuant to NRS 630.352(4)(e), the Board shall administer a written public
19 reprimand to Respondent.

20 3. Respondent's license shall be suspended for a period of one year, from
21 December 28, 2022, to December 27, 2023.² On December 28, 2023, Respondent's license status
22 shall be reinstated to an Active-Probation status.

23 4. Pursuant to NRS 630.352(4)(k), Respondent shall complete at the University of
24 San Diego Physician Assessment and Competency Evaluation Program (PACE), Competency
25 Assessment, or substantially similar assessment by another entity approved by the Board within
26 six (6) months of issuance of this Order. Any aforementioned hours of Continuing Medical
27

28 ² Pursuant to the Board's motion imposing discipline, the one-year suspension imposed upon Respondent
shall take into account the time he has been suspended since the Order of Summary Suspension, which was served
upon him on December 28, 2022.

1 Education received for attending the program that is substantially related to PACE shall be in
2 addition to the requirements that are regularly imposed upon Respondent as a condition of
3 licensure in the State of Nevada pursuant to NAC 630.153(1).

4 5. Respondent shall reimburse the Board the reasonable and necessary costs and
5 expenses actually incurred in the investigation and prosecution of this case in the amount of seven
6 thousand four hundred and ninety-nine dollars, and twenty cents (\$7,499.20) within six (6) months of
7 service of this Order. The Board, and/or its designee, are granted the authority to collect any and all
8 funds due under this Order.

9 6. Investigation Case Nos. 18-18146, 19-18953, 20-19625, 20-19679, 20-19736, 21-
10 20367, 22-21285, 22-21357, 23-22654, 23-22790, and 23-22844 shall be dismissed with prejudice.

11 IT IS SO ORDERED.

12 DATED this 19th day of December, 2023.

13 NEVADA STATE BOARD OF MEDICAL EXAMINERS

14 By:



15 NICK M. SPIRTOS, M.D., F.A.C.O.G.
16 *President of the Board*
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CERTIFICATION

I certify that the foregoing is the full and true original **FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER** on file in the office of the Board of Medical Examiners in the matter of **JON LANE SIEMS, M.D.**, Case No. 23-13009-1.

I further certify that Nick M. Spirtos, M.D., F.A.C.O.G., is the President of the Nevada State Board of Medical Examiners and that full force and credit is due to his official acts as such; and that the signature to the foregoing ORDER is the signature of said Nick M. Spirtos, M.D., F.A.C.O.G.

IN WITNESS THEREOF, I have hereunto set my hand in my official capacity as Secretary-Treasurer of the Nevada State Board of Medical Examiners.

DATED this 19th day of December, 2023.

NEVADA STATE BOARD OF MEDICAL EXAMINERS

By: Maggie Arias-Petrel
MAGGIE ARIAS-PETREL
Secretary-Treasurer and Public Member of the Board

EXHIBIT 1

EXHIBIT 1

1 **BEFORE THE BOARD OF MEDICAL EXAMINERS**

2
3 **OF THE STATE OF NEVADA**

FILED

MAY - 9 2023

NEVADA STATE BOARD OF
MEDICAL EXAMINERS

By: _____

4
5
6 In the Matter of Charges and Complaint

Case No.: 23-13009-1

7 Against

(Case No.: 19-13009-2)

8 JON L. SIEMS, M.D.,

9 Respondent.

10
11 **SYNOPSIS AND ANALYSIS OF THE RECORD**

12 Hearing Officer Charles B. Woodman, having heard a formal pre-hearing
13 conference, as well as the formal Hearing of this matter, hereby presents the Nevada State
14 Board of Medical Examiners with his formal Analysis of this case. This Analysis is based
15 upon all evidence adduced at the formal Hearing, this Hearing Officer's findings of facts
16 and conclusions of law, which findings include the credibility of the witnesses who gave
17 evidence.

18 **RELEVANT BACKGROUND**

19 This is a combined case as shown in the caption, whereby the Investigative
20 Committee ("IC") of the Board of Medical Examiners of the State of Nevada ("Board")
21 alleged that Dr. Jon Lane Siems, M.D., ("Dr. Siems") failed to comply with the Settlement
22 Agreement he entered into as resolution to Board Case 19-13009-2. The final page of that
23 Settlement Agreement contains the Board's order mandating compliance with the
24 Agreement. A duly noticed formal hearing of the matter was held before the undersigned
25 Hearing Officer on April 13, 2023 at the Northern Nevada office of the Board in Reno.
26 Mr. Donald K. White, Esq., Senior Deputy General Counsel appeared on behalf of the
27 Board's IC. Dr. Siems appeared via videoconference from the Board's Southern Nevada
28 office representing himself in pro se. The matter was duly recorded by a licensed reporter
and is a matter of public record.

1 The formal Complaint in Board Case 23-13009-1 alleges a single count of
2 Knowing or Willful Failure to Comply with a Board Order, a violation of NRS
3 630.3065(2)(a), which states that:

4 The following acts, among others, constitute grounds for initiating disciplinary
5 action or denying licensure:

6 * * *

7 2. Except as otherwise provided in NRS 630.2672, knowingly or willfully
8 failing to comply with:

9 (a) A regulation, subpoena or order of the Board or a committee designated
10 by the Board to investigate a complaint against a physician;

11 More specifically, the IC alleges at paragraphs 8-9 of the Complaint that:

12 8. Respondent [Dr. Siems] knowingly or willfully failed to comply with
13 an order of the Board when he failed to complete 20 hours of CMEs or the PACE
14 Program by or within the deadline he agree to with the Board [in Case 19-13009-
15 2].

16 9. Additionally, the Settlement Agreement [in Case 19-13009-2] that
17 Respondent signed and was subsequently approved by the Board clearly states
18 that Respondent agreed to be placed on stayed suspension and that if he violated
19 any terms of the agreement that the IC shall be authorized to immediately suspend
20 Respondent's license to practice medicine in Nevada pending an Order to Show
21 Cause hearing.

22 Accordingly, the two cases are inextricably linked inasmuch as Dr. Siems' alleged
23 violation of the Order at the final page of the Settlement Agreement entered into in Case
24 19-13009-2 makes up the entirety of the basis for Case 23-13009-1. Further, it appears
25 that the Board may determine to take formal action in both such cases.

26 At commencement of the formal Hearing of this matter, Dr. Siems was again
27 advised of his right to be represented by counsel, as this Hearing Officer has so advised
28 him in prior proceedings. The Hearing proceeded with Dr. Siems electing to represent
29 himself. See Transcript at page 5 ("T.5").

30 It is noted very significantly here that the Board has already determined that Dr.
31 Siems "willfully and knowingly violated his Settlement Agreement" via the Board's Order
32 of Suspension And Notice of Hearing filed December 27, 2022. That Order was issued
33 summarily based on evidence proffered by the IC. A duly noticed formal Order to Show

1 Cause hearing to determine whether that summary suspension should continue was heard
2 before the undersigned on February 2, 2023, with Dr. Siems in attendance, also
3 representing himself at that time. After that hearing and in light of evidence provided by
4 the IC and by Dr. Siems, this Hearing Officer confirmed the suspension pending further
5 decisions by the Board and pending adjudication of the new complaint in Case 23-13009-
6 1. The April 13 hearing was held to formally adjudicate Case 23-13009-1. At the hearing,
7 the IC's burden was to prove by a preponderance of the evidence that Dr. Siems committed
8 the violation alleged in the Complaint in Case 23-13009-1, i.e. that he knowingly or
9 willingly failed to comply with the Board's order confirming his Settlement Agreement.

10 THE EVIDENCE

11 The evidence adduced at the April 13 hearing is summarized as follows (bold and
12 italics are inserted by the Hearing Officer):

13 The IC's Deputy Chief of Investigations and Compliance Officer Johnna LaRue
14 testified that:

15 Following the Board's approval of the Settlement Agreement entered into between
16 Dr. Siems and the IC, Ms. LaRue mailed notice of the Board's decision to Dr. Siems' then
17 counsel on December 14, 2021. T.15-17;

18 Ms. LaRue's letter, including a copy of the Settlement Agreement, disclosed the
19 specific requirements with which Dr. Siems would have to comply to meet his obligations
20 under the Settlement Agreement, and the fact that he would have one year from the date of
21 the Board hearing to so comply, which would allow Dr. Siems until December 3, 2022 to
22 meet all the conditions outlined in the Settlement Agreement, and required by the Board's
23 Order thereon. T.18-20;

24 Receipt of Ms. LaRue's letter containing the Settlement Agreement and Board
25 Order by Dr. Siems' then counsel¹ was confirmed via documentary evidence showing that
26 it was received on December 18, 2021. T.21-22, 26, IC Exhibit 4;

27
28 ¹ As noted, Dr. Siems was not represented by counsel at the formal Hearing in Case 19-
13009-2. However, he retained counsel after the Hearing which culminated in execution
of the Settlement Agreement.

1 Dr. Siems and his counsel both signed the Settlement Agreement. T.28;
2 Via a November 18, 2022 email to the IC's counsel Mr. White, Dr. Siems' counsel
3 advised Mr. White that he was no longer representing Dr. Siems. T.29-30;
4 At no time did Dr. Siems' counsel or any other person ever contact Ms. LaRue or
5 anyone else at the Board to request an extension of time for Dr. Siems to complete his
6 requirements under the Settlement Agreement. T.31-33;
7 Extensions of time to comply with settlement agreement conditions are routinely
8 given under reasonable circumstances. T.33-34;
9 Dr. Siems did not complete all his CMEs required by the Settlement Agreement
10 within the mandated one-year period, nor did he complete the PACE program. T.34-35.
11 Rather, the last required CMEs were completed within a few days following the February
12 2, 2023 hearing on the license suspension, (which would have been approximately two
13 months late) . T.35;
14 Dr. Siems pressed Ms. LaRue on whether the Board should have required him (Dr.
15 Siems) to complete the PACE program when he discovered that the program could not
16 accommodate him. However, Ms. LaRue responded by saying that the Board would have
17 amended the Settlement Agreement had Dr. Siems contacted the Board within the one-year
18 period to advise that PACE could not accommodate him. T.38-43;
19 In response to Dr. Siems raising the issue of possibly not receiving a copy of the
20 Settlement Agreement from his counsel, Ms. LaRue advised that she had worked a number
21 of times in the past with the same attorney who represented Dr. Siems, and she has never
22 had any issues with practitioners not receiving documents from that attorney. T.45-46;
23 Had the IC known at any time prior to expiration of his one-year timeline that the
24 PACE program could not presently accommodate Dr. Siems, arrangements would have
25 been made to take the matter back to the Board to alter the terms of the Settlement
26 Agreement. T.47-48;
27 Dr. Siems recognized a copy of the Settlement Agreement and acknowledged that
28 he signed it. T.51-52;

1 *Dr. Siems acknowledged that he knew his deadline for complying with the terms*
2 *of the Settlement Agreement was December 3, 2022. T.54;*

3 *At some time during December, 2022, Dr. Siems had his manager Isabella call*
4 *the IC to provide an update on his process of complying with the Settlement Agreement,*
5 *but not to request an extension of time. T.55-56;*

6 *Dr. Siems confirmed that while he does not recall receiving the IC's letter via his*
7 *counsel following the approval of the Settlement Agreement, that does not mean that he*
8 *does not remember the "settlement demands." "That's not my claim. I was aware of*
9 *what the settlement demands were." On questioning by Mr. White, Dr. Siems*
10 *acknowledged he was aware of the settlement demands as of the date he signed the*
11 *document, i.e. November 24, 2021. T.57;*

12 Email correspondence between Dr. Siems and the PACE program showed that Dr.
13 Siems was not yet enrolled with PACE as of December 20, 2022, as his outstanding
14 balance due for participation was \$10,000.00. The balance due check was dated December
15 30, 2022, three days after service of the suspension order. T.61, 63-65, Respondent's
16 Exhibits p.0003, 00095;

17 *The first time that Dr. Siems, or his office personnel, contacted the PACE*
18 *program was October 31, 2022 (or approximately 33 days prior to the compliance*
19 *deadline in the Settlement Agreement). T.63;*

20 *When asked directly if he complied with the terms of the Settlement Agreement,*
21 *Dr. Siems answered "No." T.65;*

22 Dr. Siems was advised that he had the opportunity to present a defense case, but as
23 the Board and its IC have the burden of proof, he (Dr. Siems) had no obligation to do so.
24 Dr. Siems chose to provide a defense case. T.67-68;

25 Beginning at page 75 of the transcript, Dr. Siems provided a quite thorough history
26 of some highly traumatic personal crises which began happening in his life in November,
27 2022, i.e. approximately one month or less before the December 3, 2022 deadline for
28 complying with the Settlement Agreement. Those circumstances include a November 22,
2022 trip to Europe for approximately two weeks due to family medical emergencies,

1 ongoing emergent care of a young man that Dr. Siems refers to as his step-son upon return
2 to the United States from Europe, and the necessity of a restraining order on December 23,
3 2022. The undersigned Hearing Officer declines to include details of those matters here to
4 protect the privacy of Dr. Siems' and his family members. Suffice it to say that
5 circumstances involving the mother of his children, and the young man whom Dr. Siems
6 refers to as his step-son, were in crisis stage, which, according to sworn testimony, were
7 physically and emotionally consuming. T.75-141;

8 Dr. Siems received a letter from the PACE program advising that the program
9 could not accommodate Dr. Siems. That letter was dated April 6, 2023. T.82,
10 Respondent's Exhibits p.0147;

11 Dr. Siems believes it is the Board's responsibility to determine whether or not the
12 PACE program could accommodate him. Dr. Siems does not feel it is his responsibility to
13 make that determination. T.84;

14 Dr. Siems testified that he waited four months, i.e. until the PACE program letter of
15 April 6, 2023, to discover / confirm that PACE could not accommodate him. T.89;

16 Dr. Siems asked his witness Amel Youssef, O.D., if the trauma they jointly
17 experienced because of her son's medical emergencies could distract a person "enough that
18 mundane parts of life, perhaps, were ignored and made oblivious?" She testified in the
19 affirmative. T.114-115;

20 ANALYSIS

21 This Hearing Officer did not find any witness who testified at the hearing to have
22 credibility issues. While the witnesses called by Dr. Siems could be argued to be self-
23 serving, those witnesses presented as genuine and factual. This Hearing Officer takes their
24 testimony, along with all of that elicited by the IC, at full face value.

25 Dr. Siems executed the Settlement Agreement on November 24, 2021. He soon
26 thereafter learned that pursuant to an Order of the Board, he had until December 3, 2022,
27 to complete the conditions of his resolution. He first contacted the PACE program on
28 October 31, 2022, one month and three days before his deadline for full completion of all
conditions. That deadline came and went without Dr. Siems handling his CME or PACE

1 obligations. On December 27, 2022, Dr. Siems' license was summarily suspended for his
2 failure to comply with the conditions of the Settlement Agreement. A formal noticed
3 hearing confirming the suspension was held February 2, 2023. It was after that hearing
4 that Dr. Siems completed his CME requirements, which was more than two months out of
5 compliance. Dr. Siems received a letter confirming that the PACE program could not
6 accommodate him on or after April 6, 2023, just a week prior to the formal Hearing on the
7 Complaint alleging his failure to comply. And while Dr. Siems had his office manager
8 contact the IC with a status update on his compliance at some time in December, 2022,
9 (most likely after his December 3 deadline), at no time – either before or after the deadline
10 - did Dr. Siems or his staff ever request additional time to complete his requirements under
11 the Settlement Agreement.

12 Dr. Siems offered what is genuinely a compassion-evoking explanation of a series
13 of unfortunate and even tragic events in his life - not the results of his doing - and which no
14 doubt required a great deal of his time and attention. The evidence is clear that he
15 responded well to loved ones in need. His actions were indeed admirable.

16 Unfortunately, Dr. Siems' defense is measured against three harsh realities. First,
17 as he readily acknowledged, Dr. Siems failed to comply with the terms of his Settlement
18 Agreement and the Board's Order mandating such. Second, Dr. Siems made no contact
19 with the PACE program till he was only thirty-three days away from his deadline. Third,
20 Dr. Siems did not reach out to the IC until after his deadline passed, and even when he had
21 his office manager call, it was to provide a status update and not to seek additional time to
22 comply. Further, it is apparent from the record that the great majority of the challenges
23 that occurred in Dr. Siems' personal life arose either just prior to his compliance deadline –
24 and some even occurred thereafter (such as the necessity of obtaining a restraining order).

25 Dr. Siems also offers as part of his defense that it should have been the Board's
26 responsibility to ensure that the PACE program could accommodate his area of specialty /
27 expertise before including such in the Settlement Agreement. While not fully articulated in
28 the record, it appears to the Hearing Officer that those involved in crafting the Settlement
Agreement had ample cause to believe based on past experience that the PACE program

1 could serve a physician of Dr. Siems' specialty. It is also apparent from the record that
2 Covid-19 had impacted the ability of the PACE program to accommodate some specialties.
3 Accordingly, the Hearing Officer does not recognize a basis to leave upon the Board sole
4 responsibility for the potential availability of the PACE program to function for Dr. Siems.
5 As stated repeatedly by the IC's counsel Mr. White, had Dr. Siems not waited 333 days to
6 initiate contact with PACE, this case could have been quite different. Ms. LaRue made
7 sufficiently clear that timely notice of any deficiency in the ability of the PACE program to
8 serve in this case would have allowed the Board to amend its requirements. Finally, there
9 is the logical reality that the party on the hook, i.e. the one with his licensure at stake,
10 ought to engage in sufficient due diligence to ensure he is doing all that is required to
11 preserve his valuable practice. Dr. Siems offered no explanation as to why he did not
12 reach out to PACE until October 31, 2022, or why he did not complete his CMEs from the
13 time he signed the Settlement Agreement in November, 2021, until his personal challenges
14 arose in late November 2022. Finally, it must be recognized that Dr. Siems' counsel – who
15 was an extension of Dr. Siems, participated in the negotiating and crafting of the
16 Settlement Agreement. And it was Dr. Siems who executed that Agreement. And
17 accordingly, Dr. Siems shares responsibility for what that Agreement contains.

18 It is also significant that the statute at issue here is one of strict liability. While Dr.
19 Siems argues that the statute does not prohibit consideration of extenuating circumstances,
20 that does not obviate the plain language of the law that "knowingly or willfully failing to
21 comply with . . . [an] order of the Board constitutes grounds for initiating disciplinary
22 action. The Settlement Agreement became an Order of the Board when the Board
23 approved it. The Order is the final page of the Agreement. Dr. Siems candidly admitted
24 he knew that he did not comply with that Order. The knowing prong of the statute is thus
25 satisfied. And while not a necessary finding or conclusion since either a knowing *or*
26 willful violation will trigger the ramifications of the statute, it can reasonably be
27 determined that Dr. Siems' failure to comply was willful considering the long delay before
28 he took any action whatsoever. The Hearing Officer finds Dr. Siems' passive description
of the Board's Order as a "mundane part of life" as a reflection of the amount of concern

1 he had for the Order, which is further reflected in the long delay before any action was
2 taken whatsoever. In any event, the knowing violation is clear and convincing, thus
3 exceeding the IC's burden of proving their case by a preponderance of the evidence.

4 **CONCLUSION**

5 This Hearing Officer, while readily acknowledging the significant trying life events
6 experienced by Dr. Siems and his family, must recommend that the Board find that
7 Respondent Dr. Jon Lane Siems, M.D., violated the statute as alleged in the Complaint, in
8 that he knowingly failed to comply with the terms of the Order contained within the
9 Settlement Agreement. There is no doubt room for compassion for Dr. Siems in all he
10 experienced in his personal life right around the compliance deadline. But those
11 extenuating circumstances do not negate the knowing failure to meet his mandated
12 obligations, especially when he took no action to inform the Board of those circumstances
13 and/or to seek additional time to comply, or to have the requirements duly amended.

14
15 Respectfully submitted this 8th day of May, 2023.

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18 Charles B. Woodman, Hearing Officer
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BEFORE THE BOARD OF MEDICAL EXAMINERS
OF THE STATE OF NEVADA

* * * * *

In the Matter of the Charges and Complaint

Case No.: 24-13009-1

Against:

FILED

JON LANE SIEMS, M.D.,

OCT - 9 2024

Respondent.

NEVADA STATE BOARD OF
MEDICAL EXAMINERS
By: 

PROOF OF SERVICE

I, Meg Byrd, Legal Assistant for the Nevada State Board of Medical Examiners, hereby
certify that on October 8, 2024, I sent the **COMPLAINT** to:

JON LANE SIEMS, M.D.
31852 Via Patito
Coto de Caza, CA 92679

via Fed Ex tracking number 779103497605, the package was delivered on October 9, 2024.

See Exhibit 1.

DATED this 9th day of October, 2024.



MEG BYRD
Legal Assistant
Nevada State Board of Medical Examiners
9600 Gateway Drive
Reno, Nevada 89521

EXHIBIT 1

EXHIBIT 1



October 09, 2024

Dear Customer,

The following is the proof-of-delivery for tracking number: 779103497605

Delivery Information:

Status:	Delivered	Delivered To:	Residence
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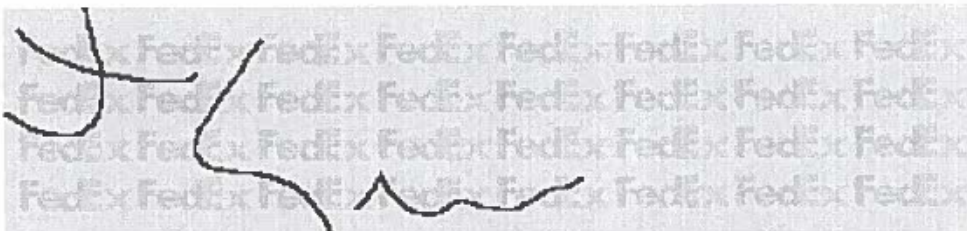
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BEFORE THE BOARD OF MEDICAL EXAMINERS
OF THE STATE OF NEVADA

FILED

NOV - 4 2024

NEVADA STATE BOARD OF
MEDICAL EXAMINERS

By: 

In the Matter of the Case No. 24-13009-1
Charges and Complaint
Against:
JON LANE SIEMS, M.D.,
Respondent.

_____ /

TRANSCRIPT OF HEARING PROCEEDINGS

Held at the Nevada State Board of Medical Examiners
9600 Gateway Drive
Reno, Nevada

Friday, October 18, 2024

Reported by: Brandi Ann Vianney Smith
Job Number: 6922401

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A P P E A R A N C E S:

THE HEARING OFFICER: PAUL LIPPARELLI, ESQ.

FOR THE INVESTIGATIVE DONALD K. WHITE, ESQ.
COMMITTEE OF THE NEVADA Sr. Deputy General Counsel
STATE BOARD OF MEDICAL Nevada State Board
EXAMINERS: of Medical Examiners

9600 Gateway Drive
Reno, NV 89521

FOR RESPONDENT: JON LANE SIEMS, MD
Pro se

ALSO PRESENT:

Meg Byrd, Legal Assistant
George Tuioti, Las Vegas Office

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1 RENO, NEVADA -- OCTOBER 18, 2024 -- 9:00 A.M.

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3
4
5 HEARING OFFICER LIPPARELLI: My name is
6 Paul Lipparelli, I'm the hearing officer for the
7 proceedings today. I'll call to order the hearing
8 In the Matter of the Charges and Complaint involving
9 Jon Lane Siems, MD, case number 23-13009-1. This is
10 the time and place set for the hearing.

11 Present with me in the Reno offices of the
12 Board of Medical Examiners is the court reporter,
13 Mr. White, Deputy General Counsel, on behalf of the
14 IC and staff of the Medical Board.

15 Dr. Siems, are you there on your own
16 behalf?

17 DR. SIEMS: Yes. Uh-huh.

18 HEARING OFFICER LIPPARELLI: Do you have
19 any other representatives present, any lawyers?

20 DR. SIEMS: No.

21 HEARING OFFICER LIPPARELLI: Okay.

22 So we can hear and see each other through
23 the Board's audio/visual equipment. The court
24 reporter here in Reno will be preparing the
25 transcript of the proceedings and making a

1 recording. In that regard, it would be helpful if
2 all the people who testify answer out loud instead
3 of head nods and other words that are difficult to
4 transcribe. So yeses and nos, speaking out loud.
5 We will place all the witnesses who testify under
6 oath, so the court reporter will do that.

7 And if you need a break, sir, during the
8 proceedings, let us know, and we can recess the
9 hearing for the time that we need.

10 This hearing is held to determine whether
11 there is a reasonable basis to continue the summary
12 suspension order that was filed in this case on
13 September 16th, 2024.

14 Dr. Siems, do you have a copy of those
15 exhibits there in front of you?

16 DR. SIEMS: I have something, I believe.

17 HEARING OFFICER LIPPARELLI: I wanted to
18 make sure the papers were there.

19 The way we'll proceed this morning is that
20 the Investigative Committee, what we call the "IC,"
21 will begin with the presentation, call any witness
22 it has, and then, Dr. Siems, you'll have that same
23 opportunity. Both parties will have a chance to
24 cross-examine each other's witnesses.

25 If I, as the Hearing Officer, find it

1 necessary to ask any questions, you are permitted to
2 follow up on any questions that I ask.

3 At the conclusion of the proceedings, we
4 will have an opportunity to make a closing
5 statement, and then because this is a summary
6 suspension, I will most likely be able to make a
7 ruling orally at the conclusion of the hearing so
8 that all the parties are aware of how to proceed
9 after today. And then we will follow up with a
10 written decision.

11 That's kind of the outline of the hearing.
12 Dr. Siems, do you have questions about
13 that?

14 DR. SIEMS: No.

15 HEARING OFFICER LIPPARELLI: Okay. Then
16 we will proceed with the IC's presentation.

17 Mr. White, you can make an opening if you
18 wish.

19 MR. WHITE: I will do that.

20 One little housekeeping matter. I don't
21 know if we need to invoke the rule of exclusion. I
22 don't think we have any witnesses sitting in here.
23 I don't know if Dr. Siems has any witnesses present
24 in that room.

25 HEARING OFFICER LIPPARELLI: Dr. Siems, do

1 you have witnesses that are -- you've prepared for
2 the hearing today?

3 DR. SIEMS: No.

4 HEARING OFFICER LIPPARELLI: All right.
5 No witnesses are present in either hearing room.

6 Mr. White, are you going to call a
7 witness?

8 MR. WHITE: I am. She's not here right
9 now.

10 HEARING OFFICER LIPPARELLI: Okay. When
11 she's called, she'll enter the room, and otherwise
12 be excluded from the proceedings.

13 You may begin.

14 MR. WHITE: Thank you.

15 OPENING STATEMENT

16 MR. WHITE: As you stated, Mr. Lipparelli,
17 now we're here today to -- well, actually, I want to
18 say thank you for everybody being present. Dr.
19 Siems, thank you for being here. Thank you,
20 Mr. Lipparelli and Ms. Court Reporter.

21 We are here, as you said, to determine if
22 there is a reasonable basis to keep his license
23 suspended pending a formal hearing down the road
24 here.

25 Dr. Siems has been licensed since 1999.

1 Just a little procedural history here. Dr. Siems
2 settled the matter with the Board, which included
3 about ten other matters, on December 3rd, 2021.
4 This is kind of where it all starts, it stems from
5 this.

6 The Board ordered Dr. Siems to do many
7 things, but in particular, he did not attend the
8 PACE program, which is the Physician Assessment and
9 Competency Evaluation program, and he had a year to
10 get that done. He did not do that. He was
11 suspended back then for some time, and I'll follow
12 up on that too. He had year to get that done, he
13 did not do that.

14 The Investigative Committee issued a
15 suspension of Dr. Siems' license to practice
16 medicine in Nevada on December 27th, 2022 -- again,
17 this is all background, this is not this
18 suspension -- for failing to complete the PACE
19 program.

20 A show of cause hearing took place with
21 Dr. Siems in attendance on February 2nd, 2023, and
22 he remained suspended. It was ordered that he
23 remain suspended, and that was the recommendation
24 also by the hearing officer at that time.

25 A full hearing on the Complaint took place

1 on April 13th, 2023, and, again, the hearing officer
2 at that time recommended that he violated the Nevada
3 Medical Practice Act.

4 His case was adjudicated at a regularly
5 scheduled board meeting, as we always do, on
6 December 1st, 2023. The Finding of Facts,
7 Conclusions of Law shows what the Board ordered.
8 That is Exhibit 1, and so that shows what the Board
9 ordered at that time.

10 I would note that counsel, that was me,
11 through the IC's recommendation recommended a much
12 higher penalty for Dr. Siems, but the Board saw it
13 differently and issued its order. That is attached
14 as Exhibit 1 today, the Findings of Fact.

15 What they basically did is they gave
16 him -- I think the words were "time served." He had
17 been suspended for approximately a year from
18 December 27, 2022, until -- and he remained
19 suspended until December 27, 2023. As this took
20 place on December 1st, he had a few more days to be
21 suspended, but then after that, the suspension was
22 lifted less than a month later.

23 I think we had asked for approximately
24 five years of revocation.

25 He was also -- they dismissed a lot of

1 other cases that were recommended to be dismissed
2 along with his revocation, but they still dismissed
3 those based -- even though he was only suspended,
4 more or less, for one year.

5 He also had costs to pay, and those are in
6 the Findings of Facts, Conclusions of Law, and
7 Order, of \$7,499.20. The deadline for that was in
8 June of 2024, and that we by, that expired, and
9 still Dr. Siems had not paid. And still the IC did
10 not suspend Dr. Siems until September 16th of 2024,
11 this year, essentially giving him three additional
12 months to pay those costs.

13 I do know that Dr. Siems, in all fairness,
14 has signed up for the -- one of things he needed to
15 do was in regards to him not being able to do PACE,
16 because they just couldn't really take him, I guess,
17 for some reason, is that he went to -- it's called
18 "CPEP," I can't remember what it stands for, it's an
19 acronym, C-P-E-P, it's a pretty in-depth, intense
20 clinical and just an assessment of the doctor's
21 abilities. I believe he signed up for that. I
22 don't know if he's taken it yet or done anything
23 yet, maybe we'll find out today, but I do know from
24 talking with our first witness, Mr. LaRue, that he
25 has signed up for it. In all fairness, he's done

1 that, but he did not pay the costs.

2 So the Investigative Committee, it did
3 suspend his license on September 16th, 2024, and it
4 was personally served to him on September 17, 2024.

5 The testimony and evidence, which will be
6 just a little bit, presented today will be able to
7 establish that a reasonable basis exists to continue
8 the suspension of his license, pending the
9 conclusion of a hearing to consider a formal
10 complaint against him, which was served on him
11 October 9th, 2024.

12 The IC will present evidence today showing
13 that he had ample notice of and an opportunity to
14 comply with the terms of the Board's order, didn't
15 do it, and Ms. LaRue, Deputy Chief of
16 Investigations, who you will hear from in a moment,
17 she's also the compliance officer, she has a dual
18 role, sent a compliance letter to Dr. Siems to
19 reiterate the terms and timelines of this Board's
20 order. That's Exhibit 2.

21 This letter was sent first class mail to
22 him, for which the Board received a return receipt.
23 And it was also accompanied by the Findings of
24 Facts, Conclusions of Law.

25 And this evidence will combine to show

1 that he knowingly, willfully just failed to comply
2 and didn't pay. That's why the IC wanted him
3 suspended.

4 Thank you.

5 HEARING OFFICER LIPPARELLI: Thank you,
6 Mr. White.

7 Dr. Siems, an opening statement from you?

8 OPENING STATEMENT

9 DR. SIEMS: Well, I don't have anybody
10 testifying for me. I will not bore you with a lot
11 of the historical details in this case. I'm sure
12 all of you are at least familiar with those details.

13 I'm here simply because of the severe,
14 genuine financial stress that the license suspension
15 has caused, and well as the fallout of that
16 suspension the following year.

17 The suspension was for one year, as
18 Mr. White had stated, although it needs to be added
19 that the hearing that established my "guilt," I
20 guess, I was to be heard by the full Board as soon
21 as possible. The hearing officer made a very clear
22 statement, Dr. Siems deserves to be heard quickly.
23 Everybody agreed. Mr. White agreed, the hearing
24 officer agreed, I agreed.

25 It was literally one year before I was

1 heard by the Board. One year, despite the hearing
2 officer being very forceful in his statement that I
3 should be heard by the full Board.

4 When that hearing took place, my license
5 was restored to an active status immediately. Well,
6 within a few days, I guess.

7 So I've been out of work without any
8 pay year whatsoever for a year for, quite honestly,
9 a very questionable suspension, given the fact that
10 they didn't even adhere to their own policy by
11 putting me on the agenda immediately, as had the
12 hearing officer requested.

13 But regardless of the equality of that
14 suspension, particularly with regards to insurance,
15 I was told and I believe that the final arbiter of
16 my "punishment" was that the general Board would
17 issue those.

18 At no time was there ever a discussion by
19 the full Board of a probationary period. No
20 discussion ever took place regarding that.

21 Well, I come to find out that -- I was
22 never informed and wasn't aware of -- it's almost
23 impossible to get back on the insurance panels if
24 you have a probationary status on your license. I'm
25 not here to contest that. There's other formats to

1 contest that.

2 Within that context, I also have made
3 hardly no income. Matter of fact, I've made no
4 income. No dollars whatsoever for two straight
5 years because of this situation.

6 It's within that financial context that
7 all I wanted to do, all I wanted, period, was an
8 opportunity to go in front of the Board to present
9 my case and see if they would consider a reduction,
10 or perhaps even waiving, the fine that had been
11 imposed on me from the prior hearing. That's it.
12 That's all I wanted.

13 But to that end, I contact the Board
14 within the time frame that was demanded. I spoke
15 with a secretary, I don't know her name, I
16 apologize, but she told me to get in contact with
17 Mr. Cousineau. I called him, he did not answer,
18 left a message explaining the situation, contact me
19 back, please. Waited. Waited. No response
20 whatsoever.

21 Contacted him again, not with the thought
22 of leaving a message because it didn't seem to be
23 very effective, but at least try to contact him to
24 get ahold of him. Once again, no response
25 whatsoever. I was just left out in left field in

1 limbo with no response.

2 Finally I called back again. This time,
3 after going through many circles, I got ahold of
4 Johnna, who is the compliance officer, I believe,
5 who I will give my respects to because she seems to
6 be the only person in that office who has
7 responsibility or feels there's responsibility
8 attached to her position, so I do give her credit
9 for that.

10 But following discussion of my situation,
11 what I was asking for, she said it was my right to
12 be heard by the Board to have that reduction
13 considered. And importantly -- anticipating what
14 could occur -- that is it not the Board's protocol
15 to punish the physician while one is awaiting that
16 hearing. I'm not even paraphrasing; that's
17 verbatim. It is not the position of the Board to
18 punish the physician while awaiting that hearing.

19 She's not in a position to arrange that
20 hearing, so she referred me to Mr. White.

21 I attempted to reach Mr. White, which I
22 can tell you is a very difficult thing to do,
23 frequently. Finally, I got ahold of him or he
24 called me back to talk about the situation. I
25 expressed my desire to have my case heard in front

1 of the full Board. He said, I believe, he would
2 talk to Mr. Cousineau or something to that affect.
3 And I awaited his response. Once again, no
4 response.

5 I started this weeks ago for a simple --
6 looking for a simple answer that literally would
7 have taken ten seconds. No response whatsoever.

8 I got ahold of Johnna finally again, and
9 she said, "Yes, he's going to a meeting with Mr.
10 Cousineau, I will once again remind him the need to
11 contact regarding the issue that we talked about."

12 At some point in time, I don't remember
13 exactly, but we transitioned to communication via
14 email. I have those emails, and I'd like to read
15 those. I tried to print them for you. I conveyed
16 to one of the people in the legal department an
17 email requesting information on how to deliver these
18 emails to you. I sent that last week. I, once
19 again, got no response. Nothing.

20 So don't hurt me for not getting these to
21 you because I tried. But once again, no response
22 was given.

23 Do I have the opportunity to read these?

24 HEARING OFFICER LIPPARELLI: Dr. Siems,
25 you can read them or we can consider having them

1 admitted into the record.

2 DR. SIEMS: I will do that. I will give
3 them a copy, but I think to make this hearing
4 perfect, you need to know what was exchanged.

5 HEARING OFFICER LIPPARELLI: Well, how
6 about this: We will do that when we get to your --
7 we will do that when we get to your case.

8 This was your opening statement, kind of
9 setting the stage for what you like to do, so the
10 order of the proceedings is the IC will put their
11 case on, and then you can put yours on. That will
12 be the time for you to do these things.

13 DR. SIEMS: Okay. I'll present those in a
14 little bit.

15 As you will see, the communications that I
16 sent to Mr. White were civil, professional,
17 courteous, and direct. There would be no confusing
18 what I was asking, why I was asking it. And the
19 answer, quite honestly, should have been fairly
20 simple.

21 I waited, waited, waited for some type of
22 communication. Nothing. Finally after about
23 three -- three to four weeks, I sent another email
24 saying, "How can I be put on the agenda?" Nothing.

25 Next thing I know, with no communication,

1 nothing, not a word, my license was suspended and
2 had Mafia-type of people come into the office -- I
3 wasn't there, other people were there -- who
4 presented badges, basically threw patients out of
5 the office, and presented a very -- in a way that
6 was very frightening to the staff and the patients
7 that were there.

8 Once again, this was due to no
9 communication despite many attempts to simply get an
10 answer to a simple question: Can I be heard in
11 front of the Board to have the fine that was imposed
12 reduced or waived?

13 That's it. It would have taken ten
14 seconds to, once again, answer that question. If it
15 was not the case -- and once again, Mr. White never
16 denied that he was the person responsible. He can't
17 go back and say, well, that wasn't my job, that's
18 not my position. That was never stated to me.

19 I was referred to him, he never said it
20 wasn't his job or responsibility to do, and I never
21 got an answer despite, once again, approaching him
22 on several occasions.

23 So what I thought was going to be a simple
24 hearing to request a reduction of fee has now turned
25 into this meeting, I guess, which, quite honestly,

1 is comical almost. I mean, the bureaucratic
2 indifference, I cannot be punished for bureaucratic
3 indifference.

4 One again, I tried everything I could
5 toward the end of my suspension or the six months,
6 and the reasoning was -- I waited to even try to
7 perform these tasks before the end of that
8 six months -- is that after a year of suspension, I
9 had no idea if I even had a practice. I had no idea
10 if I even had a practice to come back to.

11 So waited, waited, and these insurance
12 issues really because of what I think is a
13 prohibitory status, which wasn't even legitimate,
14 I really have no practice to speak of.

15 So I requested that my license get
16 reinstated and my probationary status is dismissed.

17 Real quickly regarding the CPEP and the
18 PACE, Mr. White sort of suggesting that I didn't
19 complete the PACE program, that could not be further
20 from the truth. I was very willing to complete --
21 participate in the PACE program. They couldn't
22 service me. I had nothing to do with it.

23 They had enough integrity to say, "Based
24 on what you do, we do not have individuals that can
25 test you appropriately. We're not going to proceed

1 and jeopardize our integrity."

2 I had nothing to do with that. All I did
3 was say, "Here's what I do and you can test me,
4 whatever you want."

5 They decided that I couldn't be tested
6 appropriately.

7 So don't listen at all to somebody saying
8 that I refused to participate or failed to satisfied
9 a requirement that the Board placed on me. That's
10 not true at all. They couldn't service me.

11 The alternative program of CPEP, I
12 completed -- so not only did I have a reduction in
13 income, the expenses of alimony, paying \$15,000 for,
14 quite honestly, a worthless examination through
15 CPEP, I incurred. I think anybody sitting on that
16 panel today up there would do the same thing I'm
17 doing, simply make a request if they would
18 consider -- I didn't say I wouldn't pay it. I said,
19 "Would they consider a reduction?" That's it.

20 So I'm asking for my license, which was
21 improperly taken away or suspended, to be reinstated
22 and that the probationary period be ended so that I
23 can get back to my practice.

24 HEARING OFFICER LIPPARELLI: Thank you,
25 Dr. Siems. That'll conclude your opening statement.

1 We will turn back now to Mr. White for his
2 presentation.

3 MR. WHITE: Thank you. I'm going to call
4 Ms. Johnna LaRue, our first witness.

5 (The oath was administered.)

6 DIRECT EXAMINATION

7 BY MR. WHITE:

8 Q. Please tell the Hearing Officer and the
9 court reporter your first and last names, and spell
10 them for the record.

11 A. First name Johnna, J-O-H-N-N-A, last name,
12 LaRue, L-A-R-U-E.

13 Q. Ms. LaRue, where do you work?

14 A. Nevada State Board of Medical Examiners.

15 Q. What capacity do you work for the Nevada
16 State Board of Medical Examiners?

17 A. I am the deputy chief of investigations
18 and the compliance officer.

19 Q. Okay. Do you also have a dual role as
20 compliance officer also?

21 A. Correct.

22 Q. Okay. And how long have you worked at the
23 Nevada State Board of Medical Examiners?

24 A. Eighteen and a half years.

25 Q. All right. Have you been deputy chief and

1 compliance officer for all 18 and a half years?

2 A. No. I've been the compliance officer
3 since 2009, and I've been the deputy chief since
4 2021.

5 Q. If you could, just maybe tell us a little
6 bit about what your job as the compliance officer
7 entails and how it might pertain to this case?

8 A. My job as the compliance officer is to
9 follow through with any disciplinary actions that
10 the Board takes. For instance, an adjudication with
11 the Board or settlement agreement, my job is to
12 follow through and make sure that costs and fines
13 are paid, CMEs are done, any other outside
14 educational-type things like EBASS or Probe or PACE
15 are completed in the time limit that the Board set.

16 Q. Would it be fair to say that you are the
17 main person that checks to see if those things are
18 done by each licensee that is disciplined by the
19 Board?

20 A. Yes. It's my job to send the information
21 to the respondents, and then make to sure that the
22 due dates are confirmed and completed.

23 Q. Okay. We will get to that in a minute
24 too, some of my questions.

25 But do you send them a letter, I think

1 it's called a "compliance letter," that kind of
2 outlines exactly what is in an order from the Board?

3 A. Yes. I send out a packet of information
4 after the board meeting is concluded with a copy of
5 either the adjudication or the settlement agreement,
6 a public reprimand, if that's applicable, and then a
7 compliance letter, which basically breaks down all
8 of the disciplinary action and all the due dates
9 that are required.

10 Q. Okay. Now, do you understand we're here
11 today to see if -- to determine if Dr. Siems'
12 license should remain suspended.

13 Do you understand that?

14 A. Correct.

15 Q. Okay. I'm going to draw your attention
16 now to Exhibit 1. You have some exhibits in front
17 of you. If you could take a look at Exhibit 1 for a
18 moment, and then look up at me?

19 A. Okay.

20 HEARING OFFICER LIPPARELLI: Dr. Siems, I
21 see that you have an exhibit packet there. Are you
22 following along with Exhibit 1?

23 DR. SIEMS: Yep, that's fine.

24 HEARING OFFICER LIPPARELLI: Thank you.

25

1 BY MR. WHITE:

2 Q. Okay. Are you familiar with what's in
3 Exhibit 1?

4 A. Yes.

5 Q. All right. And what is that?

6 A. This would be the Findings of Facts,
7 Conclusions of Law, and Order.

8 Q. And is that something that the Board did,
9 is that just a recitation put down in writing of
10 what the Board did?

11 A. Yes. This is an adjudication from our
12 board meeting.

13 Q. And is it for Dr. Siems?

14 A. Correct. Yes.

15 Q. And what -- do you have a date on there?

16 A. Yeah. It was filed in on December 19th,
17 2023.

18 Q. Okay. So it would have been after the
19 board meeting of December 1st of 2023?

20 A. Yes.

21 Q. And once these are drafted, do you send
22 those to the respondent?

23 A. Yes. This goes out with a copy of the
24 public reprimand, if it's applicable, and the
25 compliance letter.

1 Q. Okay. And did you do that in this case?

2 A. Yes.

3 Q. Okay. And how do we know you did that?

4 Is there any kind of -- well, did you send that
5 attached to the compliance letter?

6 A. Yes. This is would have gone with the
7 packet, and I would have sent it certified mail
8 directly to the respondent.

9 Q. Okay.

10 Then could you -- actually I would -- have
11 you seen findings of fact and conclusion of law,
12 other Board orders, settlement agreements before,
13 are your -- in your capacity as deputy chief of
14 investigations and also as compliance officer?

15 A. Yes.

16 Q. Okay.

17 A. Many of them.

18 Q. Many of them?

19 A. Many.

20 Q. Okay.

21 MR. WHITE: I would move to admit

22 Exhibit 1.

23 HEARING OFFICER LIPPARELLI: Dr. Siems,
24 any objection to admitting Exhibit 1?

25 DR. SIEMS: No.

1 HEARING OFFICER LIPPARELLI: No objection.
2 It's admitted.

3 (IC's Exhibit 1 was admitted.)

4 BY MR. WHITE:

5 Q. I'd like you to turn to Exhibit 2, please.
6 Same thing, can you review that for a moment and
7 look up at me when you're finished.

8 A. (Witness complied).

9 Q. Thank you.

10 Are you familiar with what Exhibit 2
11 purports to be?

12 A. Yes.

13 Q. And what is that?

14 A. This is my compliance letter.

15 Q. Okay. Did you send this letter?

16 A. I did.

17 Q. All right. And to whom did you address
18 it?

19 A. Jon Lane Siems, MD.

20 Q. Okay. And is there a date at the top
21 there?

22 A. December 19th, 2023.

23 Q. And you just mentioned, did you to attach
24 the Findings of Facts, Conclusions of Law, and Order
25 is to this compliance letter?

1 A. Yes.

2 Q. And that would be -- Exhibit 1 was
3 attached to Exhibit 2?

4 A. Yes.

5 Q. And how do you know if Dr. Siems received
6 this compliance letter and the attachment?

7 A. Since I send them certified, I get proof
8 of file service from the USPS that it was delivered.

9 Q. Okay. I want to make sure -- let's see.
10 Would you turn to page 20 of Exhibit 2. I
11 think it's 20, 21, and 22?

12 A. Yeah.

13 Q. Is that what you're referring to, is that
14 your proof of service?

15 A. Yes.

16 Q. Okay. And on page 21, is that the address
17 to which it was sent?

18 A. Yes. This is a copy of the envelope that
19 the package went in.

20 Q. Okay. I'd like you to turn to page 22. I
21 know they are a little hard to read sometimes, I
22 think they are all done on computers now, but is
23 that a signature of receipt?

24 A. Yes. This is a signature that someone
25 received it at the address on December 26, 2023.

1 Q. Okay. Now going back to your actual
2 compliance letter. Where did you get -- I see where
3 it says in the middle of the page on page 18, Bates
4 stamp 18, it says, "As a result, the Board entered
5 its order as follows."

6 Where did you get the substance of what to
7 put in there?

8 A. This information comes directly from the
9 Findings of Facts, Conclusions of Law, in the order
10 portion of it.

11 Q. And so I'd like for you to go down to
12 bullet point 5. We have 11 cases.

13 What happened to those cases if you look
14 at number 5?

15 A. These were dismissed with prejudice.

16 Q. You do you know what "with prejudice"
17 means?

18 A. It means that they can be reopened, I'm
19 pretty sure. Not a hundred percent. I'm not a
20 lawyer, so I don't rely --

21 Q. You might be thinking without prejudice?

22 A. Okay. So then, no, they can't be -- yeah,
23 I'm not a lawyer. Sorry.

24 Q. I can represent that "with prejudice" is a
25 legal term that means they cannot be reopened, they

1 are done.

2 A. It sounds confusing to me because it
3 should be the opposite. It's just me.

4 Q. That's okay.

5 I want to ask you a question: Have you
6 ever seen a case that has no costs associated with
7 it?

8 A. No.

9 Q. Because we have costs for all sorts of
10 things; is that correct?

11 A. Yeah. Yeah. There's always
12 administrative costs assessed, and then, nine times
13 out of ten, there's a fine as well.

14 Q. And so -- and cost are made up of what
15 sorts of things, if you know?

16 A. Costs are usually the investigator's time,
17 any hearing officer -- not -- excuse me -- peer
18 review costs, any travel costs, anything that's
19 outside, any postage, things like that, those are
20 all included in the administrative costs. And the
21 attorneys fees.

22 Q. There you go. There's attorneys fees
23 associated with it too -- correct? --

24 A. Yes.

25 Q. -- to work on a case.

1 Would it be fair to say that Dr. Siems
2 would have had much more costs if he would have been
3 accountable all those 11 cases?

4 A. Yes. Oh yeah.

5 Q. And from what you can see from the Board
6 order, were those costs from those cases -- there
7 were no costs for those cases, were there?

8 A. No.

9 Q. That were assessed to Dr. Siems?

10 A. No. They would have not been assessed
11 because they were being dismissed.

12 Q. And do you also see a fine of any sort in
13 the Board's order for his adjudication?

14 A. No. There was no fine assessed in this
15 matter.

16 Q. And then I would -- we could look at
17 either one, we could -- maybe we can match them up.
18 If you turn to page 19, the second page of your
19 compliance letter.

20 It's about a third way down the page where
21 it says, "Included in the Order are mandatory
22 actions."

23 A. Um-hum.

24 Q. Can you read that for us?

25 A. "Included in the Order are mandatory

1 actions that you must fulfill, some of which include
2 the costs in the amount of \$7,499.20, due by June 1,
3 2024."

4 Q. I'll stop you there. Thank you.

5 And then if we go to page 6 of Exhibit 1,
6 can you read number 5 for us?

7 A. "Respondent shall reimburse the Board the
8 reasonable and necessary costs and expenses actually
9 incurred in the investigation and prosecution of
10 this case in the amount of \$7,499.20 within six
11 months of service of this order. The Board and/or
12 its designee are granted the authority to collect
13 any and all funds due under this order."

14 Q. Okay. And to reiterate, there was no fine
15 in this order?

16 A. No.

17 Q. And if you know, do you know the
18 difference between a fine and our costs?

19 A. A fine is a state-mandated fine -- I mean,
20 "fine" is really self-explanatory. The costs are
21 administrative, which are Board-collected.

22 Q. And the costs, are they reimbursement?

23 A. Yes. They are reimbursement of our costs
24 and time to prosecute the case.

25 The fine is state-issued.

1 Q. Is a fine discipline?

2 A. Yes. It would be considered discipline.

3 Q. But costs, are they a discipline?

4 A. Not discipline. It's not a reportable
5 disciplinary action.

6 Q. Okay. About how long did he have to pay
7 the \$7,499.20?

8 A. Six months from the service of the Order.

9 Q. Okay.

10 MR. WHITE: I would move to admit
11 Exhibit 2.

12 HEARING OFFICER LIPPARELLI: Dr. Siems,
13 any objection?

14 DR. SIEMS: No.

15 HEARING OFFICER LIPPARELLI: Exhibit 2 is
16 admitted.

17 (IC's Exhibit 2 was admitted.)

18 BY MR. WHITE:

19 Q. Ms. LaRue, I'll have you turn to Exhibit
20 3. Take a look at for a moment.

21 (Witness reviewing document.)

22 BY MR. WHITE:

23 Q. If you're not, it's fine too, are you
24 familiar with Exhibit 3?

25 A. Yes.

1 Q. Okay. What is that?

2 A. This is an invoice statement from the
3 finance department on the account of Jon L. Siems.

4 Q. Would this be something you would normally
5 have in your file as compliance officer?

6 A. Yes. I do receive copies of this.

7 Q. Do you receive copies of it only when
8 payments are made, or do you receive copies when
9 payments aren't made too?

10 A. I receive copies when payments are not
11 made. This is a statement that there is still a
12 balance due.

13 Q. Okay. So as long somebody is current or
14 close to current on their payments, if they have a
15 payment plan, or in this case, they have six months
16 to pay a full amount, which can be either, I guess,
17 payments can be made or wait until the day before
18 and pay the whole thing in full, as long as they are
19 current somehow, you don't get a copy of that?

20 A. Correct.

21 Q. But you would get a copy of this once the
22 deadline has passed?

23 A. Yes.

24 Q. Okay. Did you receive a copy of this at
25 some point?

1 A. Yes.

2 Q. And what is the amount due on this?

3 A. \$7,499.20.

4 Q. Now, I'll say that this -- we don't know
5 if this is the exact copy -- this is not the exact
6 copy you have in your file, is it?

7 A. No, it's not. But I have -- I get emails
8 and correspondence from the finance department about
9 the balance due.

10 Q. Now, is this the same amount -- you don't
11 need to turn all the way back -- due on page 6 of
12 Exhibit 1, the Board's order?

13 A. Yeah.

14 MR. WHITE: I would move to admit
15 Exhibit 3.

16 HEARING OFFICER LIPPARELLI: Dr. Siems?

17 DR. SIEMS: That's fine.

18 HEARING OFFICER LIPPARELLI: Exhibit 3 is
19 admitted.

20 (IC's Exhibit 3 was admitted.)

21 BY MR. WHITE:

22 Q. Now, I just have a few general questions
23 Ms. LaRue.

24 Did Dr. Siems ever contact you regarding
25 the costs of \$7,499.20?

1 A. Yes.

2 Q. Okay. And it's okay if you don't
3 remember, do you remember about when that happened?

4 A. Sometime before the due date.

5 Q. Okay.

6 A. I would say may be May-ish.

7 Q. Okay. And what did he ask you?

8 A. He asked me about a payment plan and how
9 we could go about setting that up.

10 I informed him that he needed to request
11 to appear before the full Board in order to amend
12 the adjudication order, because that wasn't
13 something that were allowed to do internally, and he
14 would have to send a letter directly to the
15 executive director requesting an appearance before
16 the full Board in order to amend the order to ask
17 for the payment plan.

18 Q. You said a lot there. I'm going to break
19 it down a little bit.

20 Your conversation involved telling him you
21 need to put something formal in writing to
22 Mr. Cousineau?

23 A. Correct.

24 Q. And is it your understanding, you
25 mentioned this, that Board staff cannot just

1 unilaterally change what the Board has approved?

2 A. Yes. That's not in our purview. It has
3 to be approved by the full Board.

4 Q. So another way of putting that, I'll ask
5 you this question, is if the Board approves a
6 settlement agreement, most cases, or in this case,
7 an adjudication, they rule on what they want to do
8 for discipline on an adjudication once they find a
9 violation, which they did in this case, once that
10 happens, are we, as Board staff, allowed to change
11 anything or does it have to go back before the
12 Board?

13 A. No, as Board staff, we're not allowed to
14 change anything. Anything that is an alteration of
15 the original discipline has to go back before the
16 full Board to be approved for the amendment.

17 Q. And so was he asking to modify his payment
18 of the costs?

19 A. Yes. Asking for a payment plan beyond the
20 date of -- that it was due is amendment to the
21 adjudication order.

22 Q. And if he responded -- did he respond --
23 after you told him that he needed to make a formal
24 request in writing to to Mr. Cousineau, did he say
25 anything?

1 A. No. I never received any further
2 correspondence about that.

3 Q. I'm sorry. I mean during your phone call,
4 did he say anything after that?

5 A. He probably would have agreed. I'm not a
6 hundred percent on that.

7 But I did inform him, and I'm sure he said
8 thank you and said that he would go ahead and do
9 that.

10 Q. Was it a pretty short phone call?

11 A. Yeah, it wasn't really a long phone. It
12 was -- consisted of that, him asking and me
13 explaining.

14 Q. Did you also assist him in anything else
15 during that phone call?

16 A. Yes -- well, no, not during that phone
17 call. I had several phone calls with him.

18 Q. Okay. Tell about another phone call you
19 had with him.

20 A. The other phone call would have been
21 related to the other matter of the Probe, and
22 setting up the appointment and explaining to him
23 that once he got that -- I needed proof of his
24 enrollment in the program in order for him to be in
25 compliance with the due dates.

1 Q. So as long as -- let me ask this in a good
2 way, make it clear.

3 As long as the licensee is enrolled, even
4 though they haven't completed a program that they've
5 been order to do but as long as they are enrolled,
6 they are considered in compliance as long as it's
7 before the deadline?

8 A. Correct. If he enrolls before the
9 deadline -- and the reason for that is because we
10 can't always control the dates of the assessments
11 with the outside programs.

12 But as long as there is proof that there
13 has been an attempt and enrollment in the program
14 prior to the due date, he would be considered in
15 compliance, yes.

16 Q. Okay. And based on that phone call
17 involving CPEP, did you consider him in compliance?

18 A. Yes. I received confirmation that he paid
19 for his deposit, which would have enrolled him in a
20 specific assessment, which I'm not a hundred
21 percent, but I believe is in October.

22 Q. As you sit here today, do you know if Dr.
23 Siems followed your suggestions to write a formal
24 letter to Mr. Cousineau?

25 A. I don't know if he sent the formal letter

1 to Mr. Cousineau, but I do know at the September
2 board meeting, he was not on the agenda and did not
3 appear.

4 MR. WHITE: I have no further questions.
5 Thank you.

6 HEARING OFFICER LIPPARELLI: Dr. Siems, do
7 you have questions of Ms. LaRue?

8 DR. SIEMS: Yes.

9 CROSS-EXAMINATION

10 BY DR. SIEMS:

11 Q. First, Johnna, I -- this sounds strange --
12 thank you for, once again, being responsible.
13 You're the one person who seems to respond to answer
14 questions, issues, and you were very helpful.
15 Sometimes we don't say enough good things about
16 people. I thank you for that.

17 A. Thank you.

18 Q. Just a quick couple questions. During the
19 conversation I had with you on the phone, did I tell
20 you that I had tried contacting Mr. Cousineau?

21 A. Yes, you did tell me that you had tried.
22 But I don't know the outcome of whether or not you
23 were able to get ahold of him.

24 Q. Sure. And the reason why I was contacting
25 you was because I couldn't get ahold of anybody

1 else; correct?

2 A. Yes. But I, again, explained to you that
3 there was nothing I could do to help you, and that
4 you had to send your letter directly.

5 Q. I'm not questioning that. That's fine.

6 A little bit in contrast to what you're
7 saying, did you not tell me that the person I needed
8 to contact was Mr. White to get this going forward?

9 A. No. I told you it would have been the
10 executive director that had to approve your
11 appearance before the full Board.

12 Q. But does make sense in light that I had
13 already had tried to contact the executive director
14 and got no response for several weeks? Wasn't the
15 response from you to say, well, you need to contact
16 Mr. White, then, to get this thing going?

17 A. Actually, the conversation was that if had
18 other -- that your other option would be to contact
19 Mr. White to see if he would help you, as he was the
20 Board attorney.

21 Q. So given the fact Mr. Cousineau didn't
22 respond to several phone calls, it's not unusual for
23 me to rely on contacting Mr. White to get something
24 accomplished -- is that right? -- that's not out of
25 the ordinary.

1 A. I suppose it's not out of the norm, but it
2 isn't the procedure. In order for you to get on a
3 Board agenda, you have to send your submission in
4 writing, as I told you, to Mr. Cousineau, the
5 executive director.

6 Q. I guess I contest that.

7 But what I was told was contact Mr. White,
8 which I did, because Mr. Cousineau was not being
9 responsive. I had really no choice. I had to go to
10 Mr. White to clarify what needed to be done. That's
11 okay.

12 But you did establish, without question,
13 that I had a right to go in front of the Board to
14 present my case and make that request; correct?

15 A. Yes. You have to right to do that.

16 Q. You also stated -- and I've been saying
17 this verbatim, not even paraphrasing -- that it is
18 not the Board's protocol to punish physicians while
19 awaiting a hearing?

20 A. I don't recall -- when did I say that?

21 Q. At the conversation -- I wrote it down
22 verbatim. "It is not the Board's protocol to punish
23 physicians while awaiting a hearing."

24 A. I don't believe we have that -- I would
25 not have used the word "protocol," that's not a word

1 I use in my vocabulary.

2 Q. So you don't think that that comment was
3 made by you? You think that I'm lying, I'm making
4 that up?

5 THE WITNESS: Don?

6 MR. WHITE: Just --

7 THE WITNESS: Unless you have a recording
8 of my conversation with you, I would not have said
9 that to you.

10 BY DR. SIEMS:

11 Q. Okay. Well, I didn't quite get -- because
12 I was anticipating what would occur, and it was
13 clearly stated that it is the Board's protocol to
14 not punish somebody while awaiting a hearing.

15 Are you aware that I have satisfied
16 the hour requirement that was placed upon me?

17 A. I'm sorry?

18 Q. For continuing medical education hours
19 placed on me as part of the settlement, if you want
20 to call it, are you aware that those have been
21 completed?

22 MR. WHITE: Objection. It's not relevant.
23 There are no CMEs attached to the judgment.

24 DR. SIEMS: There were hours that were
25 needed to be fulfilled as part of the settlement.

1 HEARING OFFICER LIPPARELLI: Okay. Dr.
2 Siems, I think the objection is maybe based on the
3 terminology. The CME maybe a separate requirement
4 for maintenance of your license.

5 Were' you talking about the Board's order
6 that you complete extra training, either the PACE
7 program or the --

8 DR. SIEMS: The Board's order specified
9 completion of the hours, CME hours, credits, which I
10 conveyed to your client's office, they had to be
11 completed and review the information that they were
12 indeed completed.

13 HEARING OFFICER LIPPARELLI: Okay. It --

14 DR. SIEMS: There was also a CPEP
15 program --

16 HEARING OFFICER LIPPARELLI: Hold on.

17 DR. SIEMS: -- that was an instrumental
18 part of this --

19 HEARING OFFICER LIPPARELLI: Hold on,
20 please.

21 The objection's overruled. It's clear to
22 me Dr. Siems is referring to the training hours that
23 are required by the Board's order following the
24 hearing.

25 MR. WHITE: Maybe I can help clarifying a

1 little bit.

2 There were some CMEs that he was ordered
3 to do in the settlement agreement from December,
4 2022, and then he was also ordered to do PACE back
5 then. PACE could not accommodate him for some
6 reason.

7 So this time when it was adjudicated by
8 the Board, they did not order any more CMEs, but
9 they did ask him to do something similar to PACE,
10 which turned out to be the CPEP program.

11 There might be some confusion. That's
12 all.

13 HEARING OFFICER LIPPARELLI: I'm
14 following.

15 DR. SIEMS: And that's okay. I'm just
16 trying to satisfy -- I'm trying to establish that I
17 have indeed made efforts of satisfy the requirements
18 that have been placed upon me.

19 HEARING OFFICER LIPPARELLI: I think, Dr.
20 Siems --

21 DR. SIEMS: One of those were the hours or
22 continuing educational, which have been satisfied.
23 That's it. I'm not saying when it was issued, but
24 at some point in time, those hours were placed upon
25 me. They have been satisfied.

1 HEARING OFFICER LIPPARELLI: Dr. Siems --

2 DR. SIEMS: That's all I'm saying.

3 HEARING OFFICER LIPPARELLI: -- you
4 were -- during Ms. LaRue's testimony, she was
5 answering questions from Mr. White, and she talked
6 about the enrollment in the CPEP program and she was
7 aware that you had made a deposit to that entity
8 to -- as required by your enrollment.

9 Were you asking Ms. LaRue about her
10 awareness about the completion of that program?

11 DR. SIEMS: I am simply trying to
12 establish that there's not a pattern of neglect
13 here. That, indeed, the requirements that have been
14 placed upon me by the Board, I've satisfied in
15 large, except for the fine or fee or whatever the
16 case may be.

17 Those orders included CME hours, which I
18 completed, they included the CPEP program, which I
19 enrolled in promptly and within the proper time
20 frame, and I, indeed, had completed at this point in
21 time.

22 But the only thing that remains is this
23 fine or fee, whatever term you would like to use to
24 describe it, that has to be satisfied.

25 So I'm trying to establish with the

1 compliance officer that there's not a broad pattern
2 of neglect here.

3 HEARING OFFICER LIPPARELLI: We'll give
4 you more time to do that when we get to your case.

5 Do you have anymore cross-exam questions
6 for Ms. LaRue based on her testimony?

7 DR. SIEMS: I don't. Just -- well, that's
8 fine.

9 HEARING OFFICER LIPPARELLI: Okay. Being
10 no --

11 Do you have any redirect, Mr. White?

12 MR. WHITE: I do. Yes. Thank you.

13 REDIRECT EXAMINATION

14 BY MR. WHITE:

15 Q. Dr. Siems seems to be referring to the
16 board meeting as a hearing. Are they the same
17 thing?

18 A. No.

19 Q. Okay. So would it be fair to say he's
20 confusing what a hearing is, a board meeting, and he
21 wanted to get on a board meeting agenda; is that
22 correct?

23 A. Correct.

24 Q. Okay. Do you have proof of Dr. Siems'
25 completion of the CPEP program?

1 A. No.

2 Q. Would you receive that from CPEP directly,
3 or do you need to wait for Dr. Siems to send that to
4 you?

5 A. CPEP will send it to me directly, once the
6 report's completed.

7 Q. Did you have some conversations with PACE
8 regarding the older matter?

9 A. Not PACE, no.

10 Q. You did not?

11 A. No.

12 Q. Did you have conversations with CPEP
13 regarding whether or not they would be able to
14 accommodate Dr. Siems?

15 A. Yes.

16 Q. And were you able to facilitate his
17 getting into CPEP by talking with some people there?

18 A. Yes, I was.

19 Q. If you can remember, what did you tell
20 them that you needed?

21 A. We needed an overview or a general
22 assessment of his specialty, which is ophthalmology,
23 in general.

24 HEARING OFFICER LIPPARELLI: What's that
25 term.

1 THE WITNESS: "Ophthalmology" is his
2 specialty. It's an eye doctor.

3 HEARING OFFICER LIPPARELLI: Oh. I just
4 didn't hear. Thank you.

5 BY MR. WHITE:

6 Q. If you know, and it sounds like you do,
7 but if you know, who is only person that is
8 authorized to add people to the board meeting
9 agenda?

10 A. The executive director, Mr. Cousineau.

11 Q. If you know, do you know why PACE could
12 not accommodate him on the earlier matter?

13 A. From my understanding, his conversation or
14 their conversations with Dr. Siems was that his
15 requests for their usage was very specific and they
16 couldn't find a practitioner who could do,
17 specifically, the procedures that he was talking
18 about. And so they told him they couldn't
19 accommodate him.

20 When we discussed with CPEP, it was made
21 clear that we weren't asking specifically about just
22 one or two different procedures; we were asking for
23 an overview, in general, of the entire specialty,
24 not just the specific procedure that Dr. Siems
25 performs, which is where the confusion came.

1 Q. Is it fair to say that Dr. Siems may have
2 been telling CPEP the same things he was telling
3 PACE?

4 A. It seems that that's the matter, that
5 that's what he was telling PACE and that's why PACE
6 couldn't accommodate him.

7 But when it was -- when I had a chance to
8 explain to CPEP, they were understanding that the
9 Board was not asking for very specific, limited
10 assessments; they wanted an overview, general, of
11 the entire specialty.

12 Q. Okay. I think I already asked this. You
13 kind of help in the -- did you help in the
14 facilitation of getting him into CPEP --

15 A. Yes.

16 Q. -- by telling them we just needed a
17 general ophthalmology clinical, we need to have him
18 looked at and assessed for those things; right?

19 A. Correct. I spoke with someone directly at
20 CPEP and explained that we were just looking for
21 competency and assessment in that, overview. And
22 they have, probably, more than one person that could
23 do an assessment of that nature.

24 Q. Thank you.

25 MR. WHITE: I believe that's all I have.

1 Thank you.

2 HEARING OFFICER LIPPARELLI: Okay. Dr.
3 Siems, any questions for Ms. LaRue about the CPEP or
4 PACE or --

5 DR. SIEMS: Yeah. Just a quick -- this is
6 not what this hearing's about, but ...

7 RECROSS-EXAMINATION

8 BY DR. SIEMS:

9 Q. Was it conveyed to you any number of times
10 that I practice very specific types of eye care?

11 A. Could you repeat that?

12 Q. Was it conveyed to you, probably on
13 several occasions, that I don't practice general
14 ophthalmology? That, indeed, I practice a
15 subspecialty, particularly LASIK, that's what my
16 practice consists of, was that conveyed to you?

17 A. Yes. You and I had conversations about
18 that.

19 Q. Do you think it's fair that I would be
20 assessed by a program that has no knowledge of that
21 subject, and one is being asked to respond to
22 questions on areas of eye care that I don't even
23 perform or some get involved with?

24 A. I can't make that assessment.

25 Q. Is that a fair thing for me to have to go

1 through?

2 MR. WHITE: Objection, calls for -- I'm
3 sorry.

4 DR. SIEMS: Well, I'm just asking for an
5 opinion. I just want to know --

6 MR. WHITE: It calls for speculation.

7 HEARING OFFICER LIPPARELLI: Yeah. The
8 objection is sustained. This witness is not --

9 BY DR. SIEMS:

10 Q. Let me rephrase that.

11 Do you think one that is trying to
12 establish competency should be tested by what they
13 actually do in their practice, their specialty?

14 MR. WHITE: It's still speculation. Same
15 objection.

16 DR. SIEMS: How is that --

17 HEARING OFFICER LIPPARELLI: I'll allow.
18 She's the compliance officer, so she might have
19 something to add on the usefulness of the training.

20 If you have anything?

21 THE WITNESS: Can you repeat that, then?

22 BY DR. SIEMS:

23 Q. Do you think that if you're trying to
24 obtain an assessment of the competency of a
25 particular physician that he should be tested on

1 this very -- practice activities that he's involved
2 with? I don't know how I phrased it the first time.

3 Should he not be tested on what he does in
4 his practice?

5 MR. WHITE: And I'm going to object. I
6 don't think she has personal knowledge of that.
7 That would be the Board's ruling.

8 HEARING OFFICER LIPPARELLI: I'll allow
9 the question.

10 If you know you, can answer.

11 THE WITNESS: My opinion would be that a
12 doctor should be assessed in his specialty overall,
13 not just one specific or two specific procedures.

14 If you're an ophthalmologist, you should
15 be able to be assessed for your entirety of what
16 that specialty entails, not just one or two specific
17 things.

18 HEARING OFFICER LIPPARELLI: Okay. Thank
19 you.

20 I think we're concluded with Ms. LaRue.
21 There are no witnesses anticipated, other than Dr.
22 Siems, so I don't think you need worry about talking
23 to other folks. The rule of exclusion of witnesses
24 has been allowed, but I don't think is of any
25 applicability here, so you're excused.

1 THE WITNESS: Thank you very much.

2 HEARING OFFICER LIPPARELLI: Mr. White,
3 I'll ask you how you want to proceed with an
4 examination of Dr. Siems. We could do that now as
5 part of your case, or we can let him make his case
6 and you can cross-examine him. It's whatever you
7 think is most efficient.

8 MR. WHITE: Yeah, we can just
9 cross-examine him. That's fine. We'll just do
10 that.

11 HEARING OFFICER LIPPARELLI: Okay.
12 Dr. Siems --

13 MR. WHITE: So we rest.

14 HEARING OFFICER LIPPARELLI: -- the IC's
15 witness is finished, and he has some questions of
16 you. I just confirmed with him that he's willing to
17 do that by asking you questions during your case.

18 We will now turn to you for a
19 presentation. You can present written materials if
20 you have them, witnesses if you have them, or you
21 can sort of ask questions of yourself since you are
22 kind of working as your counsel too. It's a little
23 awkward.

24 DR. SIEMS: Very quickly, I have email
25 exchanges that I have that I would like to read to

1 the court. Those are available to you. Once again,
2 I'd like to stress, I attempted to make those
3 available do you, but met with no success for
4 whatever reason.

5 HEARING OFFICER LIPPARELLI: Very well.

6 You mentioned the emails in your opening
7 statement, so proceed.

8 DR. SIEMS: So, you know, the preface of
9 this reading of the emails, I had spoken to to
10 Johnna on the phone. And I was trying to speak to
11 Mr. Cousineau. I had difficulty accomplishing
12 anything for unexplainable reasons. We transitioned
13 to an email-type of communication, which was
14 probably best to memorialize what was being talked
15 about.

16 And, you know, all I can do is read off
17 these things. Okay?

18 HEARING OFFICER LIPPARELLI: Okay.

19 DR. SIEMS: I forgot my reading glasses.

20 MR. WHITE: May I interject for just a
21 moment?

22 HEARING OFFICER LIPPARELLI: Yes. Let's
23 --

24 MR. WHITE: Perhaps, if we can get copies
25 of that, maybe we can have them sent here somehow.

1 There's somebody at the office there -- I mean, it
2 might be helpful you, Mr. Lipparelli, and us,
3 certainly.

4 HEARING OFFICER LIPPARELLI: How many
5 pages are there, Dr. Siems?

6 DR. SIEMS: Not many. Only five. It
7 won't take very long, a few minutes.

8 HEARING OFFICER LIPPARELLI: Okay go ahead
9 with your oral presentation and we will maybe get a
10 copy of --

11 DR. SIEMS: Could someone just answer why
12 nobody gave me the opportunity before? I inquired,
13 I sent an email, please explain how to get these to
14 you. No response whatsoever.

15 DIRECT EXAMINATION

16 DR. SIEMS: But I'll read what is on the
17 page.

18 "I was informed that I have the right to
19 contest" -- this is pretty lights and mirror -- "the
20 fine" -- I put down "fine" -- "before the full
21 Board. I submitted this request when failing to
22 hear from the executive director following several
23 attempts to contact him over the past few weeks.

24 "As I stated earlier, I would like to get
25 on this agenda as soon as possible."

1 Next email --

2 HEARING OFFICER LIPPARELLI: Dr. Siems,
3 hold on, please.

4 What was the date of that email and to
5 whom was it --

6 DR. SIEMS: These are all June 28th,
7 starting in the morning and proceed through the
8 afternoon.

9 HEARING OFFICER LIPPARELLI: Okay. And
10 one more --

11 DR. SIEMS: Or excuse me. It's the 24th.

12 HEARING OFFICER LIPPARELLI: June 24,
13 2024.

14 Please be careful --

15 DR. SIEMS: Once again, I have been trying
16 to contact people for several weeks here for some
17 type of response. Either from Mr. Cousineau,
18 Johann, whatever the -- or Mr. White.

19 HEARING OFFICER LIPPARELLI: I understand.

20 DR. SIEMS: Several weeks have gone by
21 with no results whatsoever.

22 HEARING OFFICER LIPPARELLI: I understand
23 it's your --

24 DR. SIEMS: I want to --

25 HEARING OFFICER LIPPARELLI: Dr. --

1 DR. SIEMS: -- tell why.

2 HEARING OFFICER LIPPARELLI: Dr. Siems,
3 hold on.

4 Please be careful when you're reading from
5 documents, the court reporter has to try to keep up
6 with you, and people tend to speak a little faster
7 when they are reading.

8 DR. SIEMS: Okay.

9 The next one is June 25th, once again,
10 around noon. "I am providing a detailed outline why
11 I think this is warranted at the hearing."

12 Next one, same day, "Johnna, who has been
13 available and quite helpful, told me it's not the
14 Board's policy to punish a doctor while waiting to
15 be heard by the Board."

16 And then Don responded with an email, with
17 a very leading-type of email saying, "So you have
18 no" -- it's pretty dim -- "So you have no intention
19 of paying your fine as ordered by the Board?"
20 That's the first response I got. That is his email.

21 My response on June -- this is 26th,
22 actually, so over two days. I'm sorry. On June
23 26th, at 3:00 p.m., I said, "I didn't say that. I
24 said I would be" -- I said, "I would like to be
25 heard by the full Board and present my case to see

1 if they would be willing to dismiss it. I will
2 certainly honor the Board's decision. If they find
3 it compelling, I would presume they may dismiss the
4 fine. If not, I will be obligated to pay as
5 directed."

6 Next email that day, "I presume the Board"
7 -- they, the Board -- "are not aware of my financial
8 status after being suspended for one year."

9 Next one I believe is also on the 26th,
10 and this is, once again, is -- this is where Don is
11 questioning how I approach Mr. Cousineau, whether I
12 sent some type of written communications with him
13 ordering -- not ordering, but asking if this would
14 be arranged.

15 My response is, "Read this. No formal
16 letter. I was trying to contact the Board and find
17 out exactly what was needed to get this on the
18 agenda. No response. I presumed he's busy. I
19 spoke with Johnna and she told me to contact you.
20 She told that you were going to present it to him.
21 Indeed, she was going to remind you based on the
22 conversation I had with her.

23 "I will do whatever is necessary. I
24 simply need instruction. This is not a matter that
25 requires an attorney. This is a personal plea, not

1 a legal matter at this point."

2 No response. Indeed, the only response I
3 got was the you're-not-going-pay-this, I guess, is
4 the point that was trying to be made.

5 Next --

6 MR. WHITE: I'm going to object since this
7 is objectionable and he's doing his case in chief.

8 I did respond to him on June -- I have a
9 copy -- I made some copies of emails too, and it
10 turns out that I'm reading along with what he's
11 saying, what he's reading.

12 I respond to him on June 28th and say,
13 "Send me your formal" --

14 HEARING OFFICER LIPPARELLI: Let me stop
15 you there.

16 DR. SIEMS: I said --

17 HEARING OFFICER LIPPARELLI: Hold on.
18 We're not --

19 DR. SIEMS: I read it.

20 HEARING OFFICER LIPPARELLI: Hold on. We
21 won't treat that as an objection. He's presenting
22 his emails, but you can ask him questions about it
23 when he's finished.

24 Please continue.

25 DR. SIEMS: So the next email is on the

1 28th of June. "I am not" -- this is from me,
2 obviously, again, "I am not trying to dodge a Board
3 directive. I experienced a severe decline in my
4 financial well-being because of the extended
5 suspension, the need to find an office, even though
6 I was making no money, and the negative impact the
7 suspension has had on me restarting my practice
8 following the suspension. To my surprise, I have
9 not made any money, despite five months of work. I
10 presumed it would be better at this point.

11 "I am simply asking to present my
12 situation to the Board. I will submit at this point
13 to whatever you suggest to that end. Thank you."

14 The next one -- I waited, waited, waited,
15 no response as far as I know -- and then I said,
16 "Have I been placed on the agenda?" I think that
17 was a couple weeks later. Again, no response.

18 Next thing I know and several weeks later
19 without anything, zero, not a word, not go to hell,
20 Dr. Siems, I'm not going to do this for you,
21 directed elsewhere, I am going to do this for you,
22 nothing, people entered my office and closed my
23 practice down, suspended by license.

24 And now may I add, those suspensions were
25 executed improperly, not in compliance with the

1 legislation that was put out governing the behavior
2 or actions of the Board, while suspending a license
3 immediately puts many patients in jeopardy.

4 People had just been operated on, medical
5 concerns, needs that needed to be followed. They
6 were just simply dumped on a curb.

7 I didn't even have the respect to get one
8 sentence, one word of communication saying, you
9 know, Dr. Siems, pay the fine or we're going to do
10 this. Nothing. That's not acting reasonably.

11 People don't have -- I mean, boards don't
12 have complete immunity when you're not acting
13 reasonably.

14 The next -- and this wasn't written, I'm
15 just sharing everything here until after the
16 suspension occurred, but I'll read to just make sure
17 it's out there. I have no reason to raise it as an
18 issue.

19 I wrote to Don, "Perhaps you need to
20 review our communications concerning this issue. My
21 communication is clear and professional. At no time
22 did I say I wouldn't pay the Board-imposed fine.
23 Quite the contrary. It is within my right, per your
24 own office, to request a hearing in front of the
25 Board and attempt to reduce the fine. The reasons

1 for this have been outlined in prior emails.

2 "I was specifically instructed by your
3 office to arrange this through you. Instead of
4 responding appropriately, responsibly, and in a
5 timely manner to my request, you went behind my back
6 with no prior communication with me and suspended my
7 license. My request was reasonable, sincere, and
8 timely. Your actions at this point have been
9 unwarranted, petty, insulting, and harmful.

10 "I currently have patients with
11 medical/surgical issues that require my attention.
12 You are truly jeopardizing patient well-being with
13 your petty, vengeful tactics. (Inaudible) will be
14 squarely placed on your shoulders.

15 "I request that my license be reinstated
16 with active status immediately."

17 HEARING OFFICER LIPPARELLI: What's the
18 date on that one?

19 DR. SIEMS: I have a time, but I don't see
20 the date. I can find out what the date is.

21 HEARING OFFICER LIPPARELLI: What's the
22 time?

23 DR. SIEMS: 11:08. And it was after the
24 suspension.

25 HEARING OFFICER LIPPARELLI: Okay.

1 You have summarized, and in some cases,
2 read from these emails that you want us to know
3 about.

4 Are there other things you would like to
5 present?

6 DR. SIEMS: No. I'll state those in the
7 closing arrangement.

8 HEARING OFFICER LIPPARELLI: Very good.

9 We will move now to Mr. White and his
10 opportunity to ask you questions. Then we'll -- if
11 we're not concluded by 11:00, we will be looking to
12 take a little break for the court reporter.

13 Mr. White, your questions for Dr. Siems?

14 MR. WHITE: Thank you.

15 CROSS-EXAMINATION

16 BY MR. WHITE:

17 Q. Dr. Siems, on June 28th -- I'm going to
18 start with the emails since that's what you just
19 presented.

20 On June 28th, 2024, at 4:37 p.m., I wrote
21 back to you about two days after you had written me,
22 "Hello, Dr. Siems. You have mentioned that you
23 contacted Ed Cousineau and requested to be on the
24 board meeting agenda. I presume you sent him a
25 formal written request. Please send me a copy of

1 that formal written request when you have a moment.
2 It's fine if you just attach it in an email. Thank
3 you, Don."

4 I wrote to you; right?

5 A. Yes. And I responded to it.

6 Q. You did, about 23 minutes later at 5:00
7 p.m., "No formal letter. I was trying to contact
8 him in order to find out exactly was needed to get
9 on the agenda."

10 By now, you have talked to -- you've
11 corresponded with me in an email; correct?

12 A. Yes.

13 Q. And I wrote there that you need to write a
14 formal written request; right?

15 A. No. You asked if I had written a formal
16 written request.

17 Q. Okay.

18 A. You didn't instruct me to do anything.

19 Q. And you said you didn't do a formal
20 letter?

21 A. Nobody asked me to. I would have
22 obviously written a formal letter if someone
23 requested it. Read my emails. My emails are clear:
24 Please tell me what I need to do, what you want me
25 to do.

1 I couldn't have been more clearer.

2 Q. Did you --

3 A. Honestly, it's easier to write an email
4 than it is to make a phone call, so ...

5 Q. Did you just hear what you wanted to hear?
6 Because didn't you talk to Johnna LaRue about what
7 needed to be done.

8 A. Johnna didn't say anything about
9 contacting Mr. Cousineau. As I stated, the only
10 thing she talked about was, one, you have the right
11 to be heard before the Board; two, the protocols not
12 to punished, as we talked about; three, we talked
13 about a right to get that accomplished.

14 Those are the three things that we talked
15 about, and I can tell you, find a phone call, and
16 they would be confirmed.

17 Q. And -- but you just heard Ms. LaRue
18 testify that she told you to contact Mr. Cousineau
19 and write a formal written request?

20 A. That's not true. No. I would have. Why
21 would I not?

22 Q. Why would you not do it when you've had
23 now two people tell you you need to do a formal
24 written request to Mr. Cousineau? Why wouldn't you
25 do that?

1 A. Because, once again, you're telling me --
2 one, that Johnna said that; she didn't say that or I
3 would have done it.

4 I'm asking what I needed. How much more
5 plain can I be? I'm asking, I'm pleading, please
6 tell me what I need to do.

7 Johnna didn't me anything about contacting
8 Mr. Cousineau. All she knew is that I had tried on
9 several times in the past to contact him with no
10 response. Zero.

11 If there was really such a concern about
12 it, why didn't you just send me a letter, send me an
13 email consisting of you want?

14 Secondly, you didn't tell me to send an
15 email. You said, "Did you send an email to him?"
16 You didn't say to send one. There's a big
17 difference in "did you" versus "please send him an
18 email."

19 Q. Okay.

20 A. I received no instructions from him
21 whatsoever. Zero.

22 Q. Dr. Siems, did you appear at the board
23 meeting on December 1st, 2023, or did you not?

24 A. Yes.

25 Q. Okay. And you also received the

1 compliance letter that Ms. LaRue mailed to you?

2 A. I don't recall, but I presume so, yes.

3 Q. And you received the Board order, the
4 Findings of Fact, Conclusions of Law, and Order?

5 A. Yes. I -- those aren't being disputed.
6 I'm not disputing those.

7 Q. So you're aware, then, that you owed costs
8 in the amount of \$7,499.20?

9 A. Sure. But I'm also aware that I have the
10 right to go in front of the Board to ask -- see if
11 those can be reduced, per your own client's office.
12 She just testified to that.

13 Q. Right. And --

14 A. I'm not straying outside of what the
15 boundaries are here. I simply had a question:
16 Please, somebody, tell me can I go in front of the
17 Board to explain my situation, see if they waive, if
18 they at least reduce it.

19 That's it. That's all I wanted.

20 Q. And you were made aware -- based on the
21 facts and the evidence that has been presented
22 today, you were made aware that if you wanted to
23 modify a Board order, you had to go in front of the
24 full Board and needed to do a formal written
25 request?

1 A. No, I was not aware of that. Nobody
2 instructed me to write anything.

3 Read my emails. I'm asking what I need to
4 do. How much more clear could I be: Please tell me
5 what I need to do.

6 Do I need to send smoke signals, do I need
7 to send -- whatever. I asked several times: Please
8 provide information about what I need to do to
9 formalize this.

10 I got nothing. So my presumption is that
11 I told you what I wanted to do, you didn't tell me
12 to do anything else, so what else was there to do at
13 that point in time? I made my feelings, my desires
14 very clear to you, they could not be confused,
15 obviously, and I got no response other than, you
16 know, nothing. I got no instructions.

17 Q. To this day, you have not paid the
18 \$7,499.20, have you?

19 A. I have not. I said I would be willing to
20 pay that if the Board said I need to, despite their
21 consideration of lessening the fine.

22 All I wanted was to be heard in the
23 context of my financial distress, which is genuinely
24 real, to see if they would be willing to reduce it.

25 I stated in a text or email very clearly:

1 If they deemed it such that I should pay the full
2 fine, I would be willing to do that.

3 That is clearly stated in my emails. Why
4 didn't somebody just write back to me and say pay
5 the fine, and if the Board finds that you should
6 have a reduced, a little refund, something like
7 that, that's all they had to do. Nobody, nobody
8 said anything despite messages to Cousineau, Johnna,
9 to Berg, Ed Berg, to you.

10 This is really just bureaucratic
11 indifference. It's saying --

12 HEARING OFFICER LIPPARELLI: Dr. Siems,
13 there's not a question on the table right now. You
14 can make your points in your closing argument.
15 Let's just get through the questions.

16 BY MR. WHITE:

17 Q. Dr. Siems, when did you complete CPEP?

18 A. Well, you have the answer to that. I
19 don't think you should ask that on cross-examination
20 because it wasn't discussed by me, it wasn't
21 discussed in these texts or emails. I think you're
22 limited to ask me about that information, as far as
23 I know.

24 I'm happy to tell you. I completed it
25 last week, as had been scheduled. I was in

1 compliance because it was scheduled prior to the
2 date that had been established, and I did it as soon
3 as they possibly let me.

4 I held nothing up. I would have done it
5 the next day if I could have.

6 Q. Okay. Thank you.

7 A. That was up to them to decide as to when
8 -- I spent two days, eight hours a day on Zoom going
9 through their course. That has been completed in
10 full.

11
12 Q. Dr. Siems, were you prepared, if allowed
13 to go before the Board, to modify your costs, either
14 make a payment plan or whatever you wanted to do --

15 A. Sure.

16 Q. -- were you prepared to provide financial
17 statements of any sort to show them you had just no
18 way of paying?

19 A. Of course I would.

20 Q. Do you have some today?

21 A. No, I don't have -- no. I will provide
22 whatever you like me to provide.

23 Q. I just thought you might want to -- I was
24 just asking. I don't know what you have in front of
25 you down in Las Vegas. I was wondering if you had

1 those as part of your evidence?

2 A. I'm at the Board and just a piece of
3 paper. That's all I have.

4 Q. Okay. Dr. Siems, do you remember we
5 talked on September 17th?

6 A. Refresh my memory. Specifically
7 regarding?

8 Q. You had left me a voicemail, I think, the
9 day after the suspension was --

10 A. Oh, of course, I did. Yes.

11 Q. -- issued and then was filed. And then I
12 think you received it on September 17th.

13 A. Yes.

14 Q. Did you leave me a voicemail on September
15 17th?

16 A. Yes.

17 Q. Okay. For me to call you; right?

18 A. Yes.

19 Q. I called you back; right?

20 A. Yes.

21 Q. Would you consider yourself acting
22 professional then?

23 A. I, quite honestly, didn't act -- I
24 apologize, but I didn't act as aggressively as I
25 should have at that time.

1 Q. You wanted to act more aggressively?

2 A. Verbally. Not physically, obviously.

3 Q. Right.

4 A. I think what was done was a travesty. I
5 think it was the most underhanded, petty thing that
6 had been perpetrated against me.

7 Q. I won't go into it too much --

8 A. Talking about needing communication, I
9 communicated fully with the Board, fully, asking
10 them, sincerely asking them questions. No response
11 whatsoever.

12 And then it turns around that you
13 jeopardize the health of patients by coming in and
14 immediately suspending my license after all the
15 communication that I sent to you. That's beyond the
16 pale. I don't even know how to respond to that,
17 quite honestly.

18 Q. Okay.

19 You had -- I won't go into everything that
20 was said in that phone call, but you accused me of
21 going behind your back. Do you remember that?

22 A. Oh, without question.

23 Q. Yeah.

24 But now understand, and you should have
25 understood beforehand, that I don't have the power

1 to put on you the board meeting agenda.

2 You understand that; right?

3 A. No, I don't understand that. I think you
4 have a lot of power in regards to the Board. I
5 think the Board does what you tell them to do.

6 Q. I think we've already touched on this, but
7 did you ever send a letter to Mr. Cousineau as
8 requested?

9 A. I never had a request to send a letter to
10 him, and, no, I never sent a letter because of lack
11 of a request.

12 Nobody instructed me on any matter. It
13 would have taken five minutes to write an email, if
14 one had been requested.

15 I was told specifically by Johnna that you
16 were the person to talk to regarding summary
17 judgment.

18 MR. WHITE: Court's indulgence, please.

19 HEARING OFFICER LIPPARELLI: Sure.

20 BY MR. WHITE:

21 Q. Dr. Siems, going back to your emails, on
22 June 25th I wrote to you, "Good morning, Dr.
23 Siems" -- this was at 8:48 a.m. -- "the Board
24 adjudicated" -- and by the way, I just wanted to
25 say, you understand, like, I don't -- you understand

1 that I don't get immediate notification if the
2 deadline has passed and fines have not been paid on
3 a case that I have worked on.

4 Do you understand that?

5 A. No.

6 Q. Okay. As the attorney, I'm not part of
7 the finance department, so --

8 A. That's irrelevant.

9 Q. -- I hear from them. Okay?

10 So, "The Board adjudicated your case on
11 December 1st, 2023" -- this is in the email -- "as
12 of June 19th, 2024" -- and I put in parenthesis --
13 "deadline, you are not in compliance with that
14 adjudication and you are in violation of a Board
15 order. A new case could be opened against you for
16 violation of a Board order.

17 "You still owe costs in the amount of
18 \$7,499.00" -- I forgot the 20 cents there -- "Please
19 call Johnna LaRue, I gave you her number, to get
20 that exact amount and pay it as soon as possible."

21 You understand that was a courtesy;
22 correct?

23 A. I did not know it was.

24 Q. Well, you were already past the deadline
25 by a few days?

1 A. But that's okay if I initiated the process
2 well before the deadline.

3 Q. And what --

4 A. Johnna even said that I contacted her
5 before the deadline, that was her testimony.

6 Q. And you were trying to -- true.

7 But and you were trying to get on the
8 September board meeting?

9 A. I didn't even know the board meetings
10 occurred monthly. I just simply want to go before
11 the Board.

12 I had no preconceived notions of what was
13 going on. I didn't know if it was they were willing
14 see me or hear me, I didn't know what they were
15 going to decide. No preconceived notions.

16 I just had a thought, would they be
17 willing to consider it, and I took all of the proper
18 steps to that end. I couldn't have done anything
19 more.

20 I can't go up to Reno and put a gun to
21 somebody's head and say, Here, do your job and
22 respond to me.

23 Q. Okay. So you're not aware that there are
24 four board meetings a year?

25 A. I had no idea on the board meetings

1 a year. That's the first I've heard.

2 Q. So you didn't have any concern that your
3 deadline was about to pass when you requested to get
4 on a board meeting?

5 A. No. That's why the question was asked and
6 addressed to Johnna about whether or not a physician
7 is punished during that interim period while
8 awaiting the hearing. I'm not making that up;
9 that's what she told me, verbatim, it is not the
10 protocol of the Board to punish the physician while
11 awaiting the hearing for your case.

12 All she had to do is say --

13 Q. You're aware no hearing was scheduled. A
14 hearing is not a board meeting.

15 A hearing is not a board meeting, your
16 aware of that; right?

17 A. A hearing -- I suggested -- I thought the
18 full Board. Why would the full Board not hear it?
19 They are the one that impose these punishments on
20 you, so I presumed that was the case, the full Board
21 would hear this, and that's why she's speaking to
22 me.

23 I was asking, pleading for clarification
24 many times.

25 Q. Do you consider a Board order a

1 clarification?

2 A. It's semantics. Once again, we're trying
3 to cloud the issue here. All I was wanting was to
4 to appear before the Board. That's it.

5 Q. Fair to say --

6 A. I asked -- I asked -- all I wanted was to
7 appear before the Board with a simple question.

8 All somebody had to do day was to take 30
9 seconds out of their day, it could have been one of
10 a number of people that said, Dr. Siems, I
11 appreciate your contact or trying to contact to do
12 this.

13 That's it. That's all we needed.

14 Instead what happens? For weeks, no
15 response whatsoever. Mr. Cousineau never called me
16 back, ever, despite leaving messages on his phone.
17 He doesn't get his phone messages, I guess.

18 Q. Well, that wasn't a question.

19 A. Ed Berg doesn't respond, you don't
20 respond. Johnna was the only person who ever
21 responds.

22 HEARING OFFICER LIPPARELLI: Dr. Siems,
23 let's wait for the question and get through this.

24 Mr. White?

25

1 BY MR. WHITE:

2 Q. You were at the board meeting on December
3 1st, 2023; right?

4 A. Yes.

5 Q. At that time, you did not address the
6 Board to tell them that you couldn't afford the
7 \$7,499.20, did you?

8 A. I didn't know if I even had a practice to
9 go back to.

10 Q. But you didn't do that?

11 A. No. Why would I at that time?

12 Q. But you had your time in front of the
13 Board during adjudication?

14 A. I had six months to pay the fine. That
15 was established by the Board, not me.

16 Q. No. Actually, it's established by the
17 costs that are incurred in investigating the case.

18 A. I'm sure they are the ones that gave me
19 six months to pay. The fine itself, the fee itself
20 it probably just established by whoever, but I'm
21 sure the Board is the one that gave me the six
22 months to pay the fine.

23 Q. Correct, they gave you six months.

24 A. All right.

25 Q. And you did not address the Board at that

1 point that you would not be able to afford that?

2 A. I hadn't gone back to my practice, I
3 didn't even know if my practice existed at that
4 point in time.

5 Q. As you sit here --

6 A. I had been off for one year in an
7 oeconomus practice. Who knows? I might not even
8 have a practice.

9 Q. There's no --

10 A. I may as well not do anything.

11 Q. You didn't contact your practice at all in
12 the whole entire year that you were suspended?

13 A. There was no practice. It was not open.
14 Period.

15 Q. You didn't pay your employees?

16 A. I did for a few months just out of respect
17 for them, but I couldn't sustain them financially.
18 And I still continue to pay malpractice.

19 Once again, I have an oeconomus practice.
20 People want me to do their surgery. It's not a HMO
21 situation where you walk in and see anybody you want
22 to. These people want me to do their surgery, I'm
23 not there, they don't get it done and go elsewhere.

24 Q. You still have a practice in California,
25 do you not?

1 A. Yes.

2 Q. Is that where you're working now?

3 A. Once a month.

4 Q. Where is it located?

5 A. In Temecula, California.

6 Q. And that practice was never affected by
7 any of the things that happened in Nevada; correct?

8 A. Not to my knowledge. I've never had any
9 complaints in California, 35 years.

10 Q. You're a sole practitioner in California;
11 right?

12 A. Once a month I go.

13 Q. So you're part of a group there?

14 A. Well, in conjunction with an optometrist.
15 I guess two people is group, I guess.

16 Q. It's an optometrist and then you come in
17 and do LASIK surgeries?

18 A. Yes. I have had practices there in the
19 past, but not currently.

20 Q. So you could probably go in more than once
21 a month, couldn't you?

22 A. No. It's not enough volume anymore.

23 Q. Are they --

24 A. I go down there once a month.

25 Q. Sorry. Go ahead. Finish.

1 A. I probably don't even need to go there
2 once a month. I could go there every three months,
3 probably.

4 Q. And those optometrists are paying you?

5 A. Well, I mean, it's a business arrangement.
6 I don't know if they're paying me.

7 Q. You're doing them for free?

8 A. No, I said it's -- I don't think the
9 optometrist is paying me; the patients pay me.

10 Q. Is it cash only?

11 A. I don't have no idea. I don't take care
12 of the payments at all down there.

13 Q. So the patients pay you, but you don't
14 take care of those payments?

15 A. Yeah. I don't take -- the payment comes
16 from the patient not from the optometrist.

17 Q. Okay.

18 A. I'm not sure what relevance that even has,
19 this question.

20 Q. You're saying that you can't afford to pay
21 this and you wanted to go before the Board, yet
22 you're practicing in California?

23 A. Yeah. So I'll be happy to go through, I
24 owe \$8,000 a month in alimony, my malpractice is
25 over \$10,000 a month.

1 Fortunately, I own my house, but my bills
2 are \$2,500 a month. I own a car, so I don't have to
3 worry about that. And the Temecula practice, maybe
4 it makes \$2,000 a month. Maybe.

5 Q. How many LASIKs do you do in that one day
6 a month?

7 A. Four or five these days.

8 Q. What do you charge?

9 A. Anywhere from \$3,500 to \$4,000. Mostly it
10 goes to paying of lasers, the gases in the cars, the
11 employees.

12 Q. But you still haven't paid the Board yet;
13 right?

14 A. No, I haven't paid the Board. I was
15 waiting for a hearing.

16 MR. WHITE: I have no further questions.

17 HEARING OFFICER LIPPARELLI: Okay.

18 Dr. Siems, we will treat that as the end
19 of your case and the end of the IC's
20 cross-examination of you. We will take a quick
21 break here and then come back for closing arguments.

22 There's this thing in the law called
23 "judicial notice," it's a doctrine by which the
24 court or the administrative hearing officer can take
25 notice of known facts, like laws or other known

1 facts.

2 I'm going to take judicial notice that
3 there is a meeting of the Board of Medical Examiners
4 scheduled for December 13th, to be held in Las
5 Vegas. I wanted to put that on the record so you
6 were aware in this proceeds that there's an upcoming
7 meeting of the Board of Medical Examiners, like the
8 kind that you are interested in being a part of.

9 Do you understand that?

10 DR. SIEMS: Well, I'm not really
11 interested in it. I'm interested to the extent that
12 I'd like to present my case but not certainly have
13 my license suspended during that interim period.

14 HEARING OFFICER LIPPARELLI: I understand
15 that. I'm just making make sure that you're aware
16 that there is another meeting coming up, and that we
17 didn't lose sight of that in this matter.

18 DR. SIEMS: I concur.

19 HEARING OFFICER LIPPARELLI: Okay.

20 Let's take a ten-minute break, come back
21 at -- well, let's just say eleven o'clock, so that's
22 more like a 15-minute break. We'll give the court
23 reporter a break. You can gather your thoughts and
24 we'll have closing and then end the hearing. We
25 will be in recess until eleven o'clock.

1 (Recess 10:44 a.m. to 11:00 a.m.)

2 HEARING OFFICER LIPPARELLI: We're back on
3 the record. Same parties are present, the court
4 reporter is present. We will get into the closing
5 statements of the parties.

6 Mr. White, you have a housekeeping matter
7 you want to bring up now?

8 MR. WHITE: I do. If we -- we can put on
9 the record, yeah, I just thought that if we're going
10 to get emails admitted, I have no objection, if it
11 helps you make a decision in this matter. It might.
12 I have no objection to his emails coming in.

13 HEARING OFFICER LIPPARELLI: Okay. So,
14 Dr. Siems, if you could provide those emails that --

15 DR. SIEMS: They've already been provided.

16 MR. TUIOTI: They have been sent over.
17 This is George.

18 MR. WHITE: Thank you, George.

19 HEARING OFFICER LIPPARELLI: Very well.

20 The emails that were read from by Dr.
21 Siems can be admitted into evidence. Mr. White is
22 not going to object.

23 Dr. Siems, would you like to move for
24 those to be admitted?

25 DR. SIEMS: Yes. Please admit them for

1 the hearing.

2 MR. WHITE: No objection.

3 And Dr. Siems, I'll just say this as
4 another housekeeping thing. It looked like you were
5 having trouble reading those, so if they are not
6 good copies, you and agree to what -- I have some
7 copies too, I didn't delete your emails, so if we
8 can agree to a better copy, if that's necessary, we
9 can do that --

10 DR. SIEMS: Of course.

11 MR. WHITE: -- at a later date and then
12 hand it over to the court reporter and to
13 Mr. Lipparelli.

14 DR. SIEMS: Yes.

15 MR. WHITE: If we find out that they are
16 hard to read. Otherwise, they're fine.

17 HEARING OFFICER LIPPARELLI: All right.
18 That will be the order. Respondent's Exhibit A, the
19 emails that were read from, are admitted.

20 (Respondent's Exhibit A was admitted.)

21 HEARING OFFICER LIPPARELLI: Now's the
22 time we will have closing arguments. I would like
23 to keep the time for the closing arguments roughly
24 equal, and let's say ten minutes for the closing
25 argument by the IC and ten minutes for Dr. Siems.

1 If we need to talk about more time at the end, we
2 will.

3 It's now 11:02, and I'd like to turn to
4 Mr. White for the closing statement of the IC.

5 MR. WHITE: Thank you, Mr. Lipparelli.

6 CLOSING STATEMENT

7 MR. WHITE: On behalf of the Investigative
8 Committee, we'd like to thank you, Hearing Officer
9 Lipparelli, Ms. Court Reporter. Dr. Siems, thank
10 you for being here for this important proceeding,
11 and the witnesses for their time and consideration.

12 As I mentioned in my opening statements,
13 we're here to determine if there is a reasonable
14 basis to keep Dr. Siems' license to practice
15 medicine in Nevada suspended pending a hearing on
16 the formal Complaint, which he has a copy of.

17 You heard from Johnna LaRue, she's chief
18 deputy Board investigator and compliance officer for
19 the Nevada State Board of Medical Examiners. In
20 short, she explained that she mailed a compliance
21 letter and other attachments, via first class mail,
22 with a signature required, to Dr. Siems.

23 We did receive a return receipt, so we
24 know that Dr. Siems received that compliance letter.

25 She also mailed the Findings of Facts,

1 Conclusions of Law, and Order, which he received,
2 all spelled out what he need to do, both of those.
3 There was a summation of what he needed to do in the
4 compliance letter, and it summed up what was in the
5 Board's order.

6 Clearly in there, he was ordered to pay
7 costs for the Board's investigation, that was
8 \$7,499,20, by June of 2024. It was not paid.

9 As you heard, she spoke with Dr. Siems,
10 and informed him that he would need to make a formal
11 request in writing to the executive director,
12 Mr. Edward Cousineau, if he wanted to appear before
13 the Board for a modification of their order to him.

14 That is the only person who can, as the
15 facts now show, add people to the board meeting
16 agenda from this staff, from here in this office.

17 The evidence proves that Dr. Siems was
18 aware and knew of the deadline to complete his
19 payment of costs in that amount. He could have made
20 payments, he could have paid it all at once, just as
21 long it was before June 1st and/or June 19th,
22 because it's six months from him receiving the
23 order. So really June 19th was the date. But the
24 IC didn't even suspend him until September 16th, so
25 he essentially had three more months to make a

1 payment.

2 Ultimately, this is what we're here for
3 today.

4 Dr. Siems is a 50-something-year-old
5 professional, as far as I know, he is a doctor. He
6 has no one to blame but himself for not holding up
7 this end of this bargain and following the Board's
8 order.

9 Procedurally, the underlying case really
10 began in 2019, as I explained earlier. It went to a
11 hearing in December of 2020, and then he appeared
12 pro se, and then he brought an attorney in, and that
13 was, I believe, around August of 2021.

14 We had a settlement agreement in place for
15 the September '21 board meeting -- or the December
16 of '21 board meeting, and as you know from my
17 opening statements that he was suspended because he
18 didn't do the PACE program.

19 Then we come back to this case, and the
20 reason why it's important is because that -- not
21 doing PACE, getting suspended, it generated a new
22 case. That's this case.

23 So this case, he was suspended for year,
24 as you've heard now, from December of 2022 to
25 December of 2023. It was adjudicated in December of

1 2023. He was -- he had -- it was a pretty nice
2 resolution from the Board, in my opinion. Rather
3 than what the IC was asking of five years of
4 revocation, he received, like I said, time served.
5 He was suspended for one year, and that was already
6 done except just a few days left from December 1st
7 to December 27th. Eleven cases were dismissed along
8 with that, with prejudice, that had costs associated
9 with them, but he was not ordered to pay those.

10 He has now chosen -- he knew he had
11 six months to do a few things. He had to -- and
12 it's in here, Exhibit 2, as part of the Board's
13 order. Of those things that was very important to
14 the Board, obviously, is that he comply and do the
15 CPEP program. As we've heard today, it sounds like
16 he's already completed it, so I guess we'll be
17 hearing from CPEP and getting a report from them.

18 But also he was ordered to pay the
19 \$7,499.20, which were the costs in just this one
20 case. He didn't do that either.

21 He was told a few times in -- once from
22 Johnna and one from me in an email when I returned
23 his inquiry email, that you need to get hold of Ed,
24 you need to just send him a formal written request.
25 When I say "Ed," I mean Ed Cousineau, the executive

1 director who, like I said, is the only person who
2 can get him on the Board agenda. He did not that.
3 He did not send a written request. He just let it
4 go by. The deadline was gone, and now we're here.
5 And like I said before, he had essentially three
6 more months to pay this.

7 Just like a year ago, Dr. Siems flat out
8 demonstrates that he does not have any regard for
9 the IC or the Board. That's what his actions show
10 when he just lets deadlines pass by. Dr. Siems, at
11 this point, has failed to comply with the Board's
12 order that he had six months to complete.

13 And so based on the evidence today, on
14 behalf of the Investigative Committee, we submit we
15 have proven that there's a reasonable basis for his
16 license to practice medicine in Nevada to remain
17 suspended.

18 Thank you.

19 HEARING OFFICER LIPPARELLI: Thank you,
20 Mr. White.

21 Dr. Siems?

22 CLOSING STATEMENT

23 DR. SIEMS: You know, there's an old
24 adage, and it's -- and I think even men of
25 (inaudible) -- let me say that again. (Inaudible)

1 of (inaudible) follow, and that's to respond as
2 simply as one count. This doesn't require a complex
3 response.

4 Nobody's in disagreement about a board
5 directive and orders. I know they exist, and, quite
6 honestly, with the exception of the fine or fee,
7 those orders have been complied with and finished.
8 I need to say that again: They have been completed
9 with and finished.

10 In the context of severe financial
11 distress caused by this suspension, which may or may
12 not have been executed correctly, I guess that's for
13 a later date, but the financial duress is real and
14 genuine. It's in that context I simply wanted to
15 find out if I could respond or go in front of the
16 Board and have them consider if they would reduce
17 the fee or waive it, perhaps, if they found my case
18 compelling. That's it. I made how many attempts to
19 that end?

20 Unfortunately, unlike the Board's case
21 where it's all kind of, well, a phone call was made,
22 we thought about this, we thought about that, I have
23 it in writing what I was asking of the Board. It's
24 clear, concise, professional, and friendly. Simply
25 give me direction, give me instruction.

1 He keeps making reference to I was told to
2 write an email or send smoke signals to
3 Mr. Cousineau. Nobody ever directed me to do that.
4 There's no evidence whatsoever that that was ever
5 stated to.

6 We're relying on the marginal memory of
7 the compliance officer. There's nothing in writing
8 saying that, yes, here's what you need to do, Dr.
9 Siems.

10 Mr. White's email response doesn't say to
11 write an email to Mr. Cousineau. It says "did you."
12 It says nothing about, Dr. Siems, here's what you
13 need to do this point in time.

14 Even though I repeatedly asked him over
15 and over and over again, What do I need to do? How
16 do I get this accomplished? Nothing. There's been
17 no response.

18 And now I sit before you, they're asking
19 for me to be punished for their, sort of,
20 indifference in this whole affair. That's not fair.
21 That's not reasonable.

22 It's not my perspective. If you read the
23 literature, which I've gone and done, the
24 administrative pseudo legal boards do not have
25 complete freedom to do what whatever they want to

1 anymore. There's many cases out there in literature
2 discussing the immunity the boards have, et cetera.

3 The general impression that you got is
4 that, one, that have to act within a reasonable
5 manner. No question. You can't be unreasonable in
6 your approach to dealing with doctors in this case.
7 Secondly, you have to act in accordance with the
8 legislation that's been passed. You don't have the
9 opportunity or freedom to stray from that and say,
10 oh, I'm protected, I can do whatever I want. That's
11 not what's possible out there anymore, based on
12 court decisions, as far as I can tell.

13 What I ask is nothing but reasonable. I
14 have been professional, consistent. I've been
15 attempting on multiple occasions to get a response.
16 I acted within a timely manner, and the exhibits --
17 the written responses prove the response I got,
18 which was nothing.

19 How can you possibly place the blame on me
20 for doing this?

21 In addition, it's important to understand
22 that Mr. White's own office, based on her own
23 testimony this morning that I have a right to go in
24 front of the Board to have them consider whether or
25 not a reduction in the fee or fine, whatever

1 language you want to use, would they consider
2 reducing that fee or even waiving it. That is
3 within my right. I wasn't doing anything outside of
4 what my right this within this case.

5 He portrays me as a villain or a criminal.
6 Not at all. I'm following the advice of what your
7 own very Board told me. I didn't stray from that
8 whatsoever.

9 My communication was very clear. I didn't
10 want to dodge a Board directive. I didn't say that
11 at all. I said I would pay if the Board found me --
12 lack of compelling reasons to either waive or reduce
13 my fee. I said I would pay in that circumstances.
14 All I wanted them to do is consider it.

15 And despite effort being placed upon
16 effort upon effort upon effort, I couldn't get any
17 response from the Board. Nothing. No directions
18 whatsoever.

19 And now all of a sudden, out of the blue
20 with no communication whatsoever, despite my
21 communication with them, my license gets suspended.
22 Not only does that harm me -- I'm not so concerned
23 about it harming me, what I'm really concerned
24 about -- and this is why the legislation said -- the
25 legislature said you shouldn't do this, to suspend

1 your license immediately, I'm a surgeon, that means
2 I have medical conditions that are blinding going
3 on, that in a second, the stroke of a second, I'm
4 told you can no longer see these patients.

5 You would think telling me that's being
6 reasonable, that's one of the most unreasonable
7 things I've probably ever heard. You are supposed
8 to establish before you suspend a license
9 immediately that, indeed, this doctor represents a
10 continued threat to the welfare of the patient
11 population. That is in the language of the
12 legislation.

13 That was never, never established or
14 discussed, ever.

15 And there was no language in the order
16 that was established, say that we have the right to
17 suspend this -- in contrast with the legislation, we
18 have the right to suspend his license immediately.

19 There's a reason why the legislation is
20 written that way, so you don't put patients in
21 peril. So you don't put patients in peril.

22 All one had to do with all of my
23 communication that I've done was to contact me for
24 15 seconds and say, Dr. Siems, here's what you need
25 to do and here's what we want you to do, pay the

1 fine, ask for a refund.

2 That's all they had to do, and this would
3 have never come to fruition, this whole case. But
4 no. It gets ignored, I'm put into limbo, and then
5 when time passes it's my responsibility, it's my
6 fault something didn't get done. That's absurd,
7 that's unreasonable, and know it's unreasonable.
8 The evidence supports that.

9 I cannot be held responsible for
10 bureaucratic indifference. That is not my
11 responsibility. That is not my fault.

12 I need my license reactivated immediately,
13 in accordance -- not only with wishes of me, but,
14 really, the legislation that's out there to protect
15 patients that have been operated on and need, demand
16 continued medical care.

17 And there's also an issue of this
18 probation, which I don't know if this is the forum,
19 I'm gong to add, the prohibition, as far as I know,
20 was never placed upon me properly. The Board, the
21 full Board did not say you're going to be under a
22 prohibitory period for a year.

23 That probationary period has ruined by
24 practice because insurance panels will not let me
25 get on their insurance as a provider because of the

1 probationary status. Even though there's no word --
2 you can read it -- from the full Board saying that
3 this person, Dr. Jon Siems, should be placed on
4 probation. No order whatsoever.

5 I only found out after I was trying to get
6 paid for some surgeries that were done that they
7 wouldn't pay me, even though I had a
8 pre-authorization, that they wouldn't pay me because
9 of the probationary status that I didn't even know
10 about. 85 surgeries I did, not right at the same
11 time but over a time frame, I only get paid for ten
12 of those. Ten. The other 75 were written off. I
13 don't get anything because of this probationary
14 status that the Board did not impose upon me and was
15 not even informed of.

16 I request, based on the evidence provided
17 which is clear, concise, in front of you, that my
18 license get reactivated immediately. I would like
19 to be heard by the full Board, if they would at
20 least listen to see if they would reduce my fee. If
21 not, I will be happy to pay for it at that point in
22 time. But my license needs to be reactivated
23 immediately, and the suspension -- or probation
24 needs to be lifted. Period.

25 Thank you for your attention. I

1 appreciate it.

2 HEARING OFFICER LIPPARELLI: Thank you,
3 Dr. Siems.

4 For the record, I have been provided with
5 a paper copy of Exhibit A, which the record will
6 show we discussed moments ago, containing the emails
7 that Dr. Siems referred to in his testimony.

8 There's also -- the last page of that
9 packet seems to be some notes of some kind. I'm not
10 sure how those got included in with the emails, but
11 Dr. Siems, I --

12 DR. SIEMS: That's a mistake. That
13 shouldn't be in there. It can be if you want it to
14 be. It doesn't really say anything damning.

15 HEARING OFFICER LIPPARELLI: No.

16 DR. SIEMS: It's just inserting what
17 orders would be imposed on me prior to the Board
18 actually hearing it. It was a template, I guess.
19 you can throw it away if you want. It doesn't
20 matter to me.

21 HEARING OFFICER LIPPARELLI: I just wanted
22 to note that it was there and get a better
23 understanding of what it was. Thanks for clarifying
24 that.

25 MR. WHITE: I would -- may I?

1 HEARING OFFICER LIPPARELLI: Yes,
2 Mr. White.

3 MR. WHITE: One of the emails -- yeah, the
4 notes I think are irrelevant. I don't know what
5 those are. Those are not part of the emails.

6 And then there's also -- the second to the
7 last page, this was before the adjudication, and it
8 actually is kind of also irrelevant. It discusses
9 settlement terms.

10 HEARING OFFICER LIPPARELLI: Okay.

11 MR. WHITE: Perhaps that probably
12 shouldn't be in there.

13 HEARING OFFICER LIPPARELLI: Yeah.
14 Usually --

15 MR. WHITE: Because they were ongoing
16 talks up until --

17 HEARING OFFICER LIPPARELLI: Yeah.
18 Usually communications concerning
19 settlement are not admissible and --

20 DR. SIEMS: That was by accident. Once
21 again, you can throw it in the trash.

22 HEARING OFFICER LIPPARELLI: I'm going to
23 order that that second to the last page be stricken
24 from the record, and it will not be considered in
25 any manner.

1 MR. WHITE: I would also say,
2 Mr. Lipparelli, I would like to reserve the right to
3 supplement these emails. We can do them immediately
4 today, and we can confer with Dr. Siems also.

5 If you look at page 3, hand-written page
6 3 at the top right, it's an important email that you
7 can't really see from me. It's really, really
8 faint. It looks like it was a screenshot of some
9 sort or taken on a phone. We have that. I still
10 have that email. In fact, I read from it today
11 during this.

12 If we can reserve the right to supplement
13 that to make it easier for you and the court
14 reporter?

15 HEARING OFFICER LIPPARELLI: Okay. So I
16 will grant that request as long as what provided is
17 not additional to what we already have here.

18 MR. WHITE: No. It will not be.

19 DR. SIEMS: I reserve the right to consent
20 to that.

21 HEARING OFFICER LIPPARELLI: Of course.

22 DR. SIEMS: I want to be able to see what
23 we're taking about.

24 HEARING OFFICER LIPPARELLI: Mr. White
25 said he was going to confer with you before anything

1 --

2 DR. SIEMS: I'm just acknowledging that.

3 HEARING OFFICER LIPPARELLI: Very good.

4 All right. So the nature of a summary
5 suspension is that the respondent doctor is
6 immediately barred from practice. And so usually
7 after a hearing, there's a period of time that goes
8 by before the hearing officer makes a decision. And
9 I will provide a written confirmation of the
10 decision.

11 I think it's also important in these
12 matters that the decision be announced as soon as
13 possible because of the affects on the respondent
14 and the public which the Board of Medical Examiners
15 is charged with protecting.

16 I will go through, briefly, my decision
17 for today, and then, as I said, follow up in
18 writing.

19 A summary suspension under the statutes
20 requires that a hearing be held to make a
21 determination about whether the summary suspension
22 should continue, and the standard for that is a
23 reasonable basis exists to continue the suspension
24 of the license pending conclusion of a hearing on
25 the a formal complaint.

1 I find the following things are
2 uncontested:

3 That an order of the Board of Medical
4 Examiners establishes an obligation to pay
5 \$7,499.20.

6 That the said order was properly served on
7 the respondent, and, in addition, the respondent was
8 provided with a compliance letter explaining the
9 obligations of the order.

10 The order contained a deadline of June
11 1st, 2024, for the payment of costs, and that amount
12 was not paid by the deadline and has still not been
13 paid.

14 A summary suspension order was issued
15 approximately three months after the expiration of
16 the deadline to pay, and that summary suspension is
17 the basis for this hearing that we're having today.
18 There are no contrary facts to those.

19 I also find that no one, other than the
20 Board of Medical Examiners, has the authority to
21 change the contents of the order of the Board of
22 Medical Examiners. In other words, the executive
23 director, the general counsel, the compliance
24 officer, none of them can grant relief from an order
25 of the Board of Medical Examiners. Only the Board

1 can do that, and it does so after it receives a
2 request from a party to put an item on the agenda of
3 the Board to consider granting relief from an order.

4 I find that no such request has been made
5 to obtain a place on the agenda of the Board of
6 Medical Examiners.

7 And that knowingly or willfully failing to
8 comply with an order of the Board of Medical
9 Examiners is grounds for discipline, and the summary
10 suspension order shall remain in place.

11 That will be my report to the
12 Investigative Committee, who will probably follow up
13 with a writing of its own.

14 Having said all that, Dr. Siems, I want
15 you to understand that I heard your testimony and
16 your evidence about the frustration that you have
17 with the process, and that you felt as if the
18 communication could have been better and that the
19 outcome would have been different if you had
20 understood the requirements to get in front of the
21 full Board.

22 I also want to note that I did take notice
23 of the upcoming meeting of the Board in December,
24 and that there may still be time for you to seek
25 relief from the initial December, 2023 order that

1 contained the requirement to pay the fine, but that
2 nobody here, including me as a hearing officer, can
3 grant you relief from the order of the Board.

4 And so having failed to comply with
5 outstanding orders of the Board, the summary
6 suspension will remain in place, and that the
7 statutory threshold for continuation of all the
8 order, which is that there's a reasonable basis to
9 continue it, has been met.

10 So that's the end of my findings.

11 As I announced, I will put those in
12 writing and file them with the Board of Medical
13 Examiner staff, and they will stamp those and serve
14 them on you, Dr. Siems.

15 If there are no other housekeeping or
16 procedural matters, we're concluded and the hearing
17 is --

18 DR. SIEMS: Can I make sure I get a
19 transcript of this, all participants that were
20 involved in this hearing?

21 HEARING OFFICER LIPPARELLI: Yes.
22 Transcript will be created by the court reporter.

23 What is the process for Dr. Siems to get
24 that?

25 THE REPORTER: The turnaround time is ten

1 business days, and from my understanding, the
2 assistants send the doctors the transcripts once
3 they receive them.

4 HEARING OFFICER LIPPARELLI: About ten
5 days. And are the emails and addresses on file?

6 DR. SIEMS: I need names, roles, and how
7 to get in contact with everybody that's part of
8 this.

9 HEARING OFFICER LIPPARELLI: The record of
10 the hearing will contain the names and identities of
11 all the people that participated in the hearing.
12 That will be part of it. If you need something else
13 beyond that, you will have to follow up with the
14 Board staff.

15 We are concluded.

16 (Hearing ended at 11:30 p.m.)
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1 **BEFORE THE BOARD OF MEDICAL EXAMINERS**
2 **OF THE STATE OF NEVADA**

3 * * * * *

4
5 **In the Matter of Charges and**
6 **Complaint Against:**
7 **JON LANE SIEMS, M.D.,**
8 **Respondent.**

Case No. 24-13009-1

FILED

DEC 02 2024

NEVADA STATE BOARD OF
MEDICAL EXAMINERS

By: 

9
10 **ORDER AFTER SUMMARY SUSPENSION HEARING**

11 **I. INTRODUCTION**

12 The Investigative Committee (IC) of the Nevada State Board of Medical Examiners (Board)
13 issued an order immediately suspending Jon Lane Siems, M.D. (Dr. Siems) from the practice of
14 medicine, pursuant to the Board's authority under Chapter 630 of the Nevada Revised Statutes. Order
15 of Suspension, September 16, 2024. The IC's Order of Suspension is based on its determination that
16 Dr. Siems violated the Board's Findings of Fact, Conclusions of Law and Order (FFCLO), filed on
17 December 19, 2023, in Case No. 23-13009-1 (Order). The IC's Order of Suspension and Notice of
18 Hearing ordered that a hearing be held to determine whether the summary suspension of Dr. Siems'
19 license should continue.

20 On October 18, 2024 a hearing was held at the Board's hearing room at 9600 Gateway Drive
21 in Reno with the under-signed hearing officer presiding. Dr. Siems appeared via video conference
22 from the Board's hearing room in Las Vegas. He could be seen and heard by the hearing officer in
23 the Reno hearing room. Dr. Siems appeared without counsel and represented himself. TR4. The IC
24 was represented by Donald K. White, Esq., Deputy General Counsel. The proceedings were reported
25 by a court reporter and a transcript of the proceedings was provided to the hearing officer.
26 References are made to pages of the written transcript as "TR". References are also made to the
27 Bates-stamped exhibits submitted by the parties. NSBME signifies exhibits offered by the Nevada
28 State Board of Medical Examiners. RESP signifies exhibits offered by the Respondent.

1 At the conclusion of the October 18, 2024, hearing the hearing officer found Respondent's
2 license should remain suspended based on the testimony and evidence produced at the hearing.
3 TR101-103. This order is the written confirmation of that decision by the hearing officer and
4 describes in further detail the decision to sustain the IC's suspension of Respondent's license to
5 practice medicine in Nevada.

6 II. WITNESSES AND TESTIMONY

7 Counsel for the IC and Respondent made opening statements. Johnna LaRue, Deputy Chief
8 of Investigations for the Board, was sworn and testified in response to questions from counsel for the
9 IC. TR21. Ms. LaRue was the only witness other than Respondent.

10 A. Johnna LaRue.

11 1. Direct Examination.

12 Ms. LaRue's testimony authenticated three exhibits contained in the exhibit books which
13 were present in the hearing rooms in Reno and Las Vegas. Three exhibits were proposed for
14 admission by the IC and, without objection by the Respondent, were all admitted into evidence.
15 TR25, 32, 34. The exhibits are Bates stamped as 001 through 023 and preceded by "NSBME"
16 signifying they are exhibits prepared by the Nevada State Board of Medical Examiners.

- 17 • Exhibit 1 is the Findings of Fact, Conclusions of Law, Order (Case No. 23-13009-1)
18 which ordered the Respondent to: complete the University of San Diego Physician
19 Assessment and Competency Evaluation Program (PACE), or substantially similar
20 assessment by another entity approved by the Board; and pay the reasonable and
21 necessary costs and expenses incurred in the prosecution and investigation of the in
22 the amount of \$7,499.20 within six months of the date of the order. Exhibit 1 also
contains the Synopsis and Analysis of the Record of the hearing officer for a formal
hearing held in Case No. 23-13009-1 and related case, Case No. 19-13009-2.
NSBME 001-017.
- 23 • Exhibit 2 is a compliance letter dated December 19, 2023, sent to Dr. Siems by
24 Johanna S. LaRue which, among other things, states that June 1, 2023 is the deadline
25 for the completion of the education program and the payment of the costs and
expenses. The exhibit includes proof of service. NSBME 018-022.
- 26 • Exhibit 3 is an invoice statement of the Board for Dr. Siems payments to the Board
27 from March 6, 2020 to December 19, 2023. NSBME 023.

1 Ms. LaRue testified that she had a phone conversation with Dr. Siems prior to the June 1,
2 2024, due date during which Dr. Siems expressed an interest in a payment plan. She recalls that it
3 was probably sometime in May, 2024. TR35. Ms. LaRue told Dr. Siems she lacked the authority to
4 depart from the terms of the Board's order and that he must request that relief directly from the Board
5 by directing a request to Edward Cousineau, the Board's Executive Director. TR35-36.

6 Ms. LaRue said Dr. Siems confirmed enrollment in the CPEP training program, a deposit was
7 paid to secure a spot in the program and that the training was scheduled to begin in October 2024.
8 TR38. Ms. LaRue said she received confirmation of Dr. Siems' enrollment in the CPEP program
9 which could lead to compliance with the training requirement. TR38.

10 Ms. LaRue testified that she did not have confirmation that Dr. Siems had followed her
11 suggestion that he write a letter to Mr. Cousineau before the scheduled meeting of the Board in
12 September. TR38-39.

13 2. Cross-Examination.

14 Dr. Siems conducted a cross-examination of Ms. LaRue. Ms. LaRue acknowledged that Dr.
15 Dr. Siems told her he had no success in his efforts to contact Mr. Cousineau. Ms. LaRue explained
16 that she could do nothing more to help Dr. Siems in his efforts to contact Mr. Cousineau and that Dr.
17 Siems should send a letter directly to Mr. Cousineau. TR39-40. Ms. LaRue informed Dr. Siems that
18 he could also try contacting Deputy General Counsel Donald White to see if he could provide
19 assistance to Dr. Siems. TR 40. Ms. LaRue stated it was necessary to contact the Executive Director
20 to get a matter on the agenda of the Board. TR41.

21 Dr. Siems asked Ms. LaRue to confirm that she told Dr. Siems it was not the Board's protocol
22 to punish physicians while awaiting a hearing. Ms. LaRue did not recall telling Dr. Siems that.
23 TR41. Dr. Siems sought to establish through questions of Ms. LaRue that he had satisfied the
24 requirements to complete continuing medical education hours required as part of a settlement. TR42.
25 The IC objected and there was a discussion about the difference between continuing medical
26 education requirements and the requirements to complete PACE and CPEP programs. TR42-44. Dr.
27 Siems explained after a question by the hearing officer that there was not a pattern of neglecting the
28

1 education requirements because he completed the CME hours and also proved he enrolled in the
2 CPEP program to satisfy the Board's order. TR45.

3 3. Re-direct Examination.

4 Ms. LaRue testified that it seemed Dr. Siems was confusing a Board meeting with a hearing.
5 TR46.

6 Ms. LaRue confirmed that she would receive a report from the CPEP when the training
7 program was complete. TR47. Ms. LaRue explained her understanding that the PACE program
8 could not accommodate Dr. Siems for training because they could not find a practitioner who could
9 train on the specific procedures. CPEP, on the other hand, could provide training on the entire
10 specialty which she understood to be the Board's requirement. TR48-49.

11 4. Re-cross Examination.

12 Dr. Siems asked the witness if she was aware that he practiced LASIK and not general
13 ophthalmology and whether it would be fair to be assessed by a program that has no knowledge of
14 the specialty. An objection based on speculation was sustained. TR51. Ms. LaRue offered the
15 opinion that a doctor should be assessed for his specialty overall and not specific procedures. TR52.

16 B. Dr. Siems.

17 1. Direct Examination.

18 Rather than call Dr. Siems as a witness for the IC, the IC agreed to have Dr. Siems present
19 testimony and evidence and to ask questions during this testimony or as cross-examination.

20 Dr. Siems said he wanted to read into the record some emails between Dr. Siems and the
21 Board staff. Dr. Siems stated he tried to provide the packet of emails prior to the hearing without
22 success. TR54. IC counsel, Mr. White offered to have Las Vegas Board staff obtain copies of the
23 emails and transmit them to the Reno office for use during the hearing. TR55.

24 Dr. Siems began his testimony. TR55. He read into the record the contents of emails that
25 were dated between June 25, 2024 and June 28, 2025. These emails are collected as Exhibit A. They
26 are not Bates-stamped. TR55-60. Dr. Siems added some comments after reading the emails
27 especially focused on the timing of the responses or lack of responses. TR59. Later in the hearing,
28 the emails collected in Exhibit A were admitted into evidence. TR85.

1 Dr. Siems sent emails to the IC Deputy General Counsel after receiving notice of the
2 summary suspension. Those emails address the suspension order, his efforts to make contact with the
3 IC's office, his objection to the suspension order, the effect of the order on patients requiring post-
4 surgical care, and his interest in having a hearing with the Board. TR61-62.

5 2. Cross-Examination.

6 Mr. White, Deputy General Counsel for the IC, conducted a cross-examination of Dr. Siems.
7 Mr. White read from a June 28, 2024, email he sent to Dr. Siems asking for confirmation that Dr.
8 Siems sent a formal request to Mr. Cousineau to be on the Board's agenda and asked for a copy of
9 the formal request to Mr. Cousineau. Dr. Siems admitted that he had not sent a formal written
10 request to Mr. Cousineau, but that he was attempting to contact Mr. Cousineau about the Board
11 meeting. TR64. Dr. Siems testified that nobody asked him to write a formal letter. TR64. Dr. Siems
12 denies Johnna LaRue told him to write a formal letter to Mr. Cousineau. TR66.

13 Dr. Siems admits to having the Order stating he owed \$7,499.20 for costs. TR67. He also
14 noted that he knew he had the right to ask the Board to reduce the amount owed. TR67. Dr. Siems
15 says he did not know he had to make a formal written request to get in front of the Board to modify
16 the order because nobody told him that. TR68. Dr. Siems admits that as of the date of the hearing he
17 had not paid the \$7,499.20, but that he would if the Board told him he must. TR68. However, in the
18 context of his genuine financial distress, he wanted to pursue a lessening of the amount. TR68. Dr.
19 Siems stated his willingness to pay the full amount if the Board determined he should after he asked
20 for a reduction. TR69.

21 Dr. Siems completed the CPEP course the week before the October 18, 2024, hearing on the
22 summary suspension consistent with what he told Ms. LaRue about the scheduling of the CPEP
23 course. TR69. Dr. Siems discussed his frustration with the IC pursuing a summary suspension in the
24 midst of his efforts to communicate about seeking relief from the order. TR71-72.

25 Mr. White asked Dr. Siems about a June 25, 2024 email in which Mr. White informed Dr.
26 Siems a new case could be opened against him for the failure to comply with the order from the 2023
27 case and that he was past the deadline to comply. Dr. Siems acknowledged the email. TR74-76.
28

1 Dr. Siems acknowledged that he was present at the Board's December 2023 meeting and he
2 did not tell the Board he could not afford the \$7,499.20 assessment for costs. TR78. Dr. Siems
3 explained that in December of 2023 he had been suspended for a year and did not know whether his
4 medical practice was in existence. TR79.

5 Mr. White and Dr. Siems had a discussion, through questions and answers, about Dr. Siems'
6 medical practice in California including what kinds of work Dr. Siems does and how much he earns
7 for the work. TR80-82.

8 Both parties made closing statements. TR86-97.

9 III. FINDINGS

10 A summary suspension requires a hearing to determine whether there is a reasonable basis to
11 continue a license suspension pending a formal hearing on the complaint. NRS 630.326. The
12 October 18, 2024, hearing satisfies that requirement.

13 Disciplinary Case No. 23-13009-1 resulted in the Order (filed on December 19, 2023.) The
14 Order established the Respondent's obligation to pay \$7,499.20 and to complete training. A copy of
15 the Order was properly served on the Respondent. In addition, the Respondent was provided with a
16 compliance letter dated December 19, 2023, explaining the obligations of the Order including the
17 obligation to pay the costs and complete the training. June 1, 2024, was the effective date for
18 compliance with the Order.

19 The knowing or willful failure to comply with an order of the Board is grounds for discipline.
20 NRS 630.3065(2)(a). Approximately three months after the expiration of the June 2024 deadline for
21 Dr. Siems to comply with the Order, the IC filed a summary suspension order (September 16, 2024)
22 for the failure to comply with the Order. The Respondent did not satisfy the terms of the Order by
23 June 1, 2024. There is no evidence to the contrary.

24 Dr. Siems understood the requirements of the Order. He acknowledged receiving the Order
25 and the compliance letter. He also recognized the need to comply with the Order. Prior to the June 1,
26 2024, deadline, Dr. Siems had a phone conversation with the Board's compliance officer, Johnna
27 LaRue, to discuss a payment plan for the payment of the costs contained in the Order. There is no
28 evidence as to why Dr. Siems waited until the last month of the 6-month compliance period to make

1 inquiries about relief from the Order. Ms. LaRue informed the Respondent any amendment to the
2 terms of the Order, such as a payment plan or reduction of the fine, would require Board approval
3 after a formal request to appear. The authority of the Board to grant relief from an order is exclusive.
4 In other words, the executive director, the general counsel, and the compliance officer are all
5 powerless to grant relief from an order of the Board.

6 Dr. Siems made inquiries and had communications with officials of the Board about his
7 interest in modifying the order. Ms. LaRue and Mr. White informed him he needed to submit a
8 formal written request to the person who manages the Board's agenda to get on the Board's agenda to
9 ask for relief from the Order. Dr. Siems testified that he had no success in his efforts to contact Mr.
10 Cousineau by phone or by email. Accepting that as true, it is also true that Dr. Siems did not submit
11 a letter to Mr. Cousineau. Dr. Siems contends he did not understand a formal letter was required.
12 That contention is outweighed by the evidence that Ms. LaRue and Mr. White informed Dr. Siems
13 that a formal letter was required to get a hearing in front of the Board.

14 Dr. Siems testified that he completed the training requirement of the Order in October of
15 2024 by completing the CPEP course. The testimony of Ms. LaRue establishes that she usually
16 receives certificates of completion of training. That happened too late for evidence to be provided at
17 the hearing, presumably she should get confirmation of the CPEP training soon. Dr. Siems had
18 difficulty in finding training that correlated to his specialty field. Although it occurred beyond the
19 June 2024 deadline, the IC and the Board may find the completion of the CPEP program in October
20 of 2024, is satisfactory compliance with the training requirement of the Order.

21 The Respondent did not satisfy the requirement to pay \$7,499.20 by June 1, 2024, and as of
22 October 18, 2024 had still not paid.

23 IV. CONCLUSION

24 The knowing or willful failure to comply with an order of the Board is grounds for discipline.
25
26
27
28

1 There is a reasonable basis to continue the suspension of the Respondent's license pending a formal
2 hearing on the complaint.

3

4 DATED this 27th day of November, 2024.

5



6

Paul A. Lipparelli, *Hearing Officer*

7

Email: paul.lipparelli@gmail.com

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Tel: 775-771-6927

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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 2nd day of December, 2024, I served a file-stamped copy of the foregoing **ORDER AFTER SUMMARY SUSPENSION HEARING**, via U.S. Certified Mail, postage pre-paid, to the following parties:

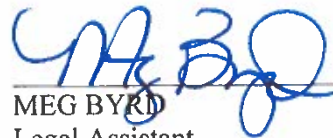
JON LANE SIEMS, M.D.
31852 Via Patito
Coto de Caza, CA 92679

Tracking No.: 9171 9690 0935 0255 7007 76

JON LANE SIEMS, M.D.
31952 Via Patito
Trabuco Canyon, CA 92679

Tracking No.: 9171 9690 0935 0255 7007 83

DATED this 2nd day of December, 2024.



MEG BYRD
Legal Assistant
Nevada State Board of Medical Examiners

From: [Meg Byrd](#)
To: [Jon Siems](#); [Donald K. White](#)
Cc: [Paul Lipparelli](#)
Subject: Jon Lane Siems, M.D. - Order After Summary Suspension Hearing
Date: Monday, December 2, 2024 8:55:06 AM
Attachments: [06 - Ord After Summary Susp Hrq 12-2-24.pdf](#)
[image001.png](#)

Hello everyone,

Please see the attached file-stamped Order After Summary Suspension. A paper copy was mailed to Dr. Siems at two addresses we have received from him.

Thank you,
Meg



Meg Byrd

Legal Assistant to:
Donald K. White, Senior Deputy General Counsel
Ian J. Cumings, Senior Deputy General Counsel
Nevada State Board of Medical Examiners
9600 Gateway Drive
Reno, NV 89521
Tel: (775) 324-9350
Fax: (775) 688-2321
mbyrd@medboard.nv.gov

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January 31, 2025

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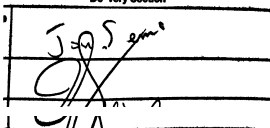
Item Details

Status:	Delivered, Left with Individual
Status Date / Time:	December 5, 2024, 3:58 pm
Location:	TRABUCO CANYON, CA 92679
Postal Product:	First-Class Mail®
Extra Services:	Certified Mail™ Return Receipt Electronic

Shipment Details

Weight:	0.3oz
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Recipient Signature

Signature of Recipient:	
Address of Recipient:	

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January 31, 2025

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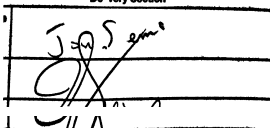
Item Details

Status:	Delivered, Left with Individual
Status Date / Time:	December 5, 2024, 3:58 pm
Location:	TRABUCO CANYON, CA 92679
Postal Product:	First-Class Mail®
Extra Services:	Certified Mail™ Return Receipt Electronic

Shipment Details

Weight:	0.3oz
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Recipient Signature

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

* * * * *

In the Matter of Charges and Complaint

Case No. 23-13009-1

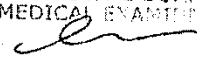
Against:

JON LANE SIEMS, M.D.,

Respondent.

FILED

MAR 20 2025

NEVADA STATE BOARD OF
MEDICAL EXAMINERS
By: 

ORDER DENYING RESPONDENT'S REQUEST FOR MODIFICATION OF THE TERMS

OF THE FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER

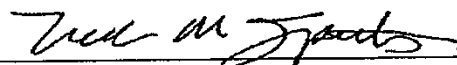
Jon Lane Siems, M.D. (Dr. Siems), License No. 13009, personally appeared in Las Vegas, Nevada, before the Nevada State Board of Medical Examiners (Board) at its regularly scheduled Board meeting on March 7, 2025, requesting that the Board modify part of the terms of the Findings of Fact, Conclusions of Law, and Order (Request). Board members Nicola (Nick) M. Spirtos, M.D., F.A.C.O.G, President, Bret W. Frey, M.D., Vice President, Ms. Maggie Arias-Petrel, Secretary-Treasurer, Chowdhury H. Ahsan, M.D., Ph.D., FACC, Ms. Pamela J. Beal, Col. Eric D. Wade, USAF, (Ret.), Carl N. Williams, Jr., M.D., FACS, Irwin B. Simon, M.D., FACS, Joseph Olivarez, P.A.-C, and Jason B. Farnsworth, RRT, MBA, Hugh L. Bassewitz, M.D., FAAOS, were present.

After considering Dr. Siems's request, and good cause appearing, the Board enters the following Order:

IT IS HEREBY ORDERED that the formal Request for Modification of the Terms of the Findings of Fact, Conclusions of Law, and Order, filed in Case No. 23-13009-1 by Dr. Siems is DENIED.

DATED this 20th day of March, 2025.

NEVADA STATE BOARD OF MEDICAL EXAMINERS



NICK M. SPIRTOS, M.D., F.A.C.O.G.
President of the Board

CERTIFICATE OF SERVICE

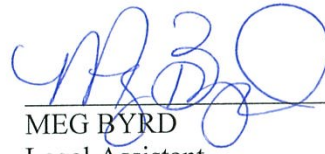
I hereby certify that I am employed by the Nevada State Board of Medical Examiners and that on the 20th day of March, 2025, I served a file-stamped copy of the foregoing **ORDER DENYING RESPONDENT'S REQUEST FOR MODIFICATION OF THE TERMS OF THE FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER**, via U.S. Certified Mail, postage pre-paid, to the following parties:

JON LANE SIEMS, M.D.
31852 Via Patito
Coto de Caza, CA 92679

9171 9690 0935 0255 7026 88

Tracking No.: _____

DATED this 20th day of March, 2025.



MEG BYRD
Legal Assistant
Nevada State Board of Medical Examiners

From: [Jon Siems](#)
To: [Meg Byrd](#)
Subject: Re: Jon Siems, M.D. - Order Continuing Suspension
Date: Monday, June 2, 2025 11:17:59 AM
Attachments: [image.png](#)

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

I am in receipt of the board order. Thank you. Pending further litigation on the actions previously taken by the board against me on these issues, I willingly choose not to participate in any further board activities/hearings.
Sent from my iPhone

On Jun 2, 2025, at 10:49 AM, Meg Byrd <mbyrd@medboard.nv.gov> wrote:

Good morning Mr. Lipparelli,
The IC is requesting the ECC be scheduled as soon as you are available. I can ensure the ECC Order is sent to Dr. Siems and he can choose to participate if he wishes to.

Thank you,
Meg

From: Paul Lipparelli <paul.lipparelli@gmail.com>
Sent: Wednesday, May 21, 2025 3:32 PM
To: Donald K. White <dwhite@medboard.nv.gov>; Jon Siems <siemslasik@hotmail.com>
Cc: Meg Byrd <mbyrd@medboard.nv.gov>
Subject: Re: Jon Siems, M.D. - Order Continuing Suspension

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

Dr. Siems: I understand that you are consulting with attorneys and considering legal action about what has already transpired. Nonetheless, your email did not provide dates for your availability for the mandatory early case conference. Are you declining to participate in the scheduling of that conference? --Paul Lipparelli.

On Wed, May 21, 2025, 1:23 PM Donald K. White <dwhite@medboard.nv.gov> wrote:

Hello Mr. Lipparelli,

I can make myself available for any of those days.

Thank you,
Don

Donald K. White, J.D.
Senior Deputy General Counsel
Nevada State Board of Medical Examiners
[9600 Gateway Drive](#)
[Reno, NV 89521](#)
[775.324.9355](tel:775.324.9355)
dwhite@medboard.nv.gov

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dissemination of this information by anyone other than the intended recipient is not authorized. If not the intended recipient, please contact the sender by reply e-mail and destroy all copies of the original message.

From: Paul Lipparelli <paul.lipparelli@gmail.com>

Sent: Wednesday, May 21, 2025 12:04 PM

To: Meg Byrd <mbyrd@medboard.nv.gov>

Cc: Jon Siems <siemslasik@hotmail.com>; Donald K. White <dwhite@medboard.nv.gov>

Subject: Re: Jon Siems, M.D. - Order Continuing Suspension

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

Dr. Siems and Mr. White,

I have received copies of the orders of the Board of Medical Examiners denying Dr. Siems motion to modify and continuing the suspension of his medical license. A formal hearing is still needed for the case involving the October 8, 2024 complaint (copy attached). No answer to the October 8 complaint was filed, so the allegations are deemed denied and the matter will proceed. NRS 630.339.

An Early Case Conference needs to be scheduled as soon as possible. At the Early Case Conference we will choose the dates for the formal hearing, the mandatory prehearing conference and any prehearing motions.

Early Case Conferences are held electronically. When we have agreed on a date for the Early Case Conference, I will send a link for a Zoom meeting.

I am available for an Early Case Conference almost any time during the following days:

- May 27-29
- June 9-13
- June 16-18
- June 25-27
- July 1-3

Please respond with your availability on any of those dates.

--Paul Lipparelli, hearing officer

On Mon, Apr 28, 2025 at 10:29 AM Meg Byrd <mbyrd@medboard.nv.gov> wrote:

Good morning,

Please see the attached Order Continuing Summary Suspension from the IC.

Also, it is time to schedule an Early Case Conference as soon as possible.

Thank you,

Meg

<image001.png>

Meg Byrd

Legal Assistant to:

Donald K. White, Senior Deputy General Counsel

Ian J. Cumings, Senior Deputy General Counsel

Nevada State Board of Medical Examiners

[9600 Gateway Drive](#)

[Reno, NV 89521](#)

Tel: (775) 324-9350

Fax: (775) 688-2321
mbyrd@medboard.nv.gov

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OFFICE OF THE GENERAL COUNSEL

Nevada State Board of Medical Examiners
9600 Gateway Drive
Reno, Nevada 89521
(775) 688-2559

BEFORE THE BOARD OF MEDICAL EXAMINERS
OF THE STATE OF NEVADA

* * * * *

In the Matter of the Charges and Complaint

Case No.: 24-13009-1

Against:

FILED

JON LANE SIEMS, M.D.,

APR 28 2025

Respondent.

NEVADA STATE BOARD OF
MEDICAL EXAMINERS

By: 

ORDER CONTINUING SUMMARY SUSPENSION

The Investigative Committee (IC) of the Nevada State Board of Medical Examiners (Board) hereby orders the CONTINUED SUSPENSION of the license to practice medicine of Jon Lane Siems, M.D. (Respondent).

After review and consideration of the December 2, 2024, recommendations of the Hearing Officer following the conclusion of the show cause hearing held on October 18, 2024, the IC finds that a reasonable basis exists to continue the suspension of Respondent's license to practice medicine pending the conclusion of a hearing and adjudication by the Board of the Formal Complaint filed by the IC against the Respondent on October 8, 2024, as Respondent's conduct was a knowing or willful failure to comply with a Board Order put in place on December 19, 2023, subsequent to an adjudication of Case No. 23-13009-1 at a regularly scheduled Board meeting on December 1, 2023, pursuant to NRS 630.3065(2)(a).

DATED this 28th day of April, 2025.

INVESTIGATIVE COMMITTEE OF THE
NEVADA STATE BOARD OF MEDICAL EXAMINERS

By:



BRET W. FREY, M.D.

Chairman of the Investigative Committee

CERTIFICATE OF SERVICE

I hereby certify that I am employed by the Nevada State Board of Medical Examiners and that on the 28th day of April, 2025, I served a file-stamped copy of the foregoing **ORDER CONTINUING SUMMARY SUSPENSION**, via U.S. Certified Mail, postage pre-paid, to the following parties:

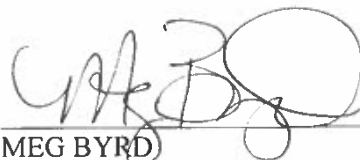
JON LANE SIEMS, M.D.
31852 Via Patito
Coto de Caza, CA 92679

Tracking No.: 9489 0178 9820 3037 2105 77

With courtesy copy by email to:

Donald K. White, Esq. at [dwhite@medboard.nv.gov]
Jon Lane Siems, M.D. at [siemslasik@hotmail.com]
Paul Lipparelli, Esq. at [paul.lipparelli@gmail.com]

DATED this 28th day of April, 2025.



MEG BYRD
Legal Assistant
Nevada State Board of Medical Examiners

From: [Meg Byrd](#)
To: [Paul Lipparelli](#); [Jon Siems](#); [Donald K. White](#)
Subject: Jon Siems, M.D. - Order Continuing Suspension
Date: Monday, April 28, 2025 10:29:58 AM
Attachments: [08 - Order Continuing Suspension 4-28-25.pdf](#)
[image001.png](#)

Good morning,
Please see the attached Order Continuing Summary Suspension from the IC.

Also, it is time to schedule an Early Case Conference as soon as possible.

Thank you,
Meg



Meg Byrd

Legal Assistant to:
Donald K. White, Senior Deputy General Counsel
Ian J. Cumings, Senior Deputy General Counsel
Nevada State Board of Medical Examiners
9600 Gateway Drive
Reno, NV 89521
Tel: (775) 324-9350
Fax: (775) 688-2321
mbyrd@medboard.nv.gov

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July 22, 2025

Dear Meg Byrd:

The following is in response to your request for proof of delivery on your item with the tracking number:
9489 0178 9820 3037 2105 77.

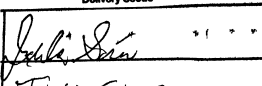
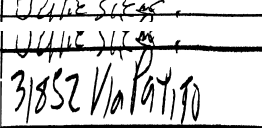
Item Details

Status:	Delivered, Left with Individual
Status Date / Time:	May 2, 2025, 3:02 pm
Location:	TRABUCO CANYON, CA 92679
Postal Product:	First-Class Mail®
Extra Services:	Certified Mail™ Return Receipt Electronic

Shipment Details

Weight:	0.1oz
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Recipient Signature

Signature of Recipient:	
Address of Recipient:	

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

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

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

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

3 * * * * *

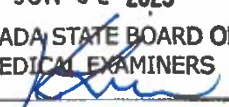
4
5 **In the Matter of Charges and**
6 **Complaint Against:**
7 **JON LANE SIEMS, M.D.,**
8 **Respondent.**

Case No. 24-13009-1

FILED

JUN 02 2025

**NEVADA STATE BOARD OF
MEDICAL EXAMINERS**

By: 

10 **ORDER SETTING EARLY CASE CONFERENCE**

11 TO: BOARD ATTORNEY
12 Donald K. White, Esq.
13 Nevada State Board of Medical Examiners
14 9600 Gateway Drive
15 Reno, NV 89521
16 dwhite@medboard.nv.gov

17 ~and~

18 RESPONDENT
19 Jon Lane Siems, M.D.
20 31852 Via Patito
21 Coto de Caza, CA 92679
22 siemslasik@hotmail.com

23 **NOTICE IS HEREBY GIVEN** in compliance with NRS 630.339(3)¹, an Early Case
24 Conference will be conducted on June 16, 2025 beginning at 9:00 a.m. The Early Case Conference
25

26 ¹ Within 20 days after the filing of an answer or 20 days after the date on which an answer is due, whichever
27 is earlier, the parties shall hold an early case conference at which the parties and a hearing officer appointed by the
28 Board or a member of the Board must preside. At the early case conference, the parties shall in good faith:

(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 will be held via Zoom. The meeting link is:

2 <https://us06web.zoom.us/j/82789120144?pwd=5O9DbNmsoov94Z9lYWkkqrjHqKzvA.1>

3 Meeting ID: 827 8912 0144 Passcode: 005464

4 The telephone number of the hearing officer is 775-771-6927 in the event of technical
5 problems at the time of the conference.

6 The scheduled Early Case Conference shall be attended by the parties in person or by any
7 party's legal counsel of record and will be conducted by the undersigned Hearing Officer to discuss
8 designate the dates for the Pre-Hearing Conference and Hearing and other procedural matters
9 established in NRS 630.339.

10 At the Pre-Hearing Conference, in accordance with NAC 630.465², each party shall provide
11 the other party with a copy of the list of witnesses they intend to call to testify, including therewith,
12 the qualifications of each witness so identified, and a summary of the testimony of each witness. If
13 a witness is not on the list of witnesses, that witness may subsequently not be allowed to testify at
14 the Hearing unless good cause is shown for omitting the witness from said list³. Likewise, all
15 evidence, except rebuttal evidence, that is not provided to each party at the Pre-Hearing Conference
16 may also not be introduced or admitted at the Hearing unless good cause is shown.

17
18

² 1. At least 30 days before a hearing but not earlier than 30 days after the date of service upon the
19 physician or physician assistant of a formal complaint that has been filed with the Board pursuant to NRS 630.311,
20 unless a different time is agreed to by the parties, the presiding member of the Board or panel of members of the
21 Board or the hearing officer shall conduct a prehearing conference with the parties and their attorneys. All documents
presented 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 qualifications
and a summary of the testimony of each proposed witness. A witness whose name does not appear on the list of
proposed witnesses may not testify at the hearing unless good cause is shown.

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

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

26 (Added to NAC by Bd. of Medical Exam'rs, eff. 1-13-94; A by R149-97, 3-30-98; R167-99, 1-19-2000; R108-01,
11-29-2001)

27 ³In identifying a patient as a witness, parties are cautioned to omit from any pleadings filed with undersigned
28 Hearing Officer any addresses, telephone numbers, social security numbers or other personal information regarding
that individual and to confine their submissions in this regard to the name of witness, the relevancy of any testimony
sought to be elicited from that witness and a summary of their anticipated testimony.

IT IS FURTHER ORDERED that despite Respondent communicating through email that he is declining to participate any further in the above-entitled case, Respondent shall be served with a copy of this order.

IT IS FURTHER ORDERED that legal counsel for the Nevada State Board of Medical Examiners and the Respondent shall keep the undersigned Hearing Officer advised of each issue which has been resolved by negotiation or stipulation, if any. At the Early Case Conference, the parties must also provide an estimate, to the nearest hour, of the time required for presentation of their respective cases.

IT IS SO ORDERED.

DATED this 2nd day of June, 2025.

Paul M. Spaullo
Hearing Officer

Paul A. Lipparelli
Tel: 775-771-6927
Email: paul.lipparelli@gmail.com

CERTIFICATE OF SERVICE

I certify that on this day, I served by personally delivering or mailing, postage pre-paid, a true and correct file-stamped copy of the foregoing **ORDER SETTING EARLY CASE CONFERENCE** to the following parties:

BOARD ATTORNEY
Donald K. White, Esq.
Nevada State Board of Medical Examiners
9600 Gateway Drive
Reno, NV 89521
dwhite@medboard.nv.gov

~~and~~

RESPONDENT
Jon Lane Siems, M.D.
31852 Via Patito
Coto de Caza, CA 92679
siemslasik@hotmail.com

9489 0178 9820 3037 2100 10

DATED this 2nd day of June, 2025.

Signature

Printed Name

Title

From: [Meg Byrd](#)
To: "Paul Lipparelli"
Cc: [Donald K. White](#); [Jon Siems](#)
Subject: RE: FW: Jon Siems, M.D. - Order Continuing Suspension
Date: Monday, June 2, 2025 2:29:34 PM
Attachments: [09 - Order Setting Early Case Conference 6-2-25.pdf](#)

Good afternoon everyone,
Attached please find the Order Setting Early Case Conference. A paper copy was mailed by Certified Mail to Dr. Siems.

Thank you,
Meg

From: Paul Lipparelli <paul.lipparelli@gmail.com>
Sent: Monday, June 2, 2025 1:20 PM
To: Meg Byrd <mbyrd@medboard.nv.gov>
Cc: Donald K. White <dwhite@medboard.nv.gov>; Jon Siems <siemslasik@hotmail.com>
Subject: Re: FW: Jon Siems, M.D. - Order Continuing Suspension

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

Dr. Siems and Mr. White, Meg Byrd forwarded to me the email she received from Dr. Siems stating that he has decided not to participate any further in the pending case. Nonetheless, you will all be getting a Zoom link from me for an Early Case Conference and will also be served with an Order Setting Early Case Conference. --Paul Lipparelli

On Mon, Jun 2, 2025 at 11:34 AM Meg Byrd <mbyrd@medboard.nv.gov> wrote:

Mr. Lipparelli and Mr. White,
Please see Dr. Siem's statement below.

Thank you,
Meg

From: Jon Siems <siemslasik@hotmail.com>
Sent: Monday, June 2, 2025 11:18 AM
To: Meg Byrd <mbyrd@medboard.nv.gov>
Subject: Re: Jon Siems, M.D. - Order Continuing Suspension

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

I am in receipt of the board order. Thank you. Pending further litigation on the actions previously taken by the board against me on these issues, I willingly choose not to participate in any further board activities/hearings.
Sent from my iPhone

On Jun 2, 2025, at 10:49 AM, Meg Byrd <mbyrd@medboard.nv.gov> wrote:

Good morning Mr. Lipparelli,
The IC is requesting the ECC be scheduled as soon as you are available. I can ensure the ECC Order is sent to Dr. Siems and he can choose to participate if he wishes to.

Thank you,
Meg

From: Paul Lipparelli <paul.lipparelli@gmail.com>
Sent: Wednesday, May 21, 2025 3:32 PM
To: Donald K. White <dwhite@medboard.nv.gov>; Jon Siems <siemslasik@hotmail.com>
Cc: Meg Byrd <mbyrd@medboard.nv.gov>
Subject: Re: Jon Siems, M.D. - Order Continuing Suspension

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

Dr. Siems: I understand that you are consulting with attorneys and considering legal action about what has already transpired. Nonetheless, your email did not provide dates for your availability for the mandatory early case conference. Are you declining to participate in the scheduling of that conference? --Paul Lipparelli.

On Wed, May 21, 2025, 1:23 PM Donald K. White <dwhite@medboard.nv.gov> wrote:

Hello Mr. Lipparelli,

I can make myself available for any of those days.

Thank you,
Don

Donald K. White, J.D.
Senior Deputy General Counsel
Nevada State Board of Medical Examiners
[9600 Gateway Drive](#)
[Reno, NV 89521](#)
[775.324.9355](tel:775.324.9355)
dwhite@medboard.nv.gov

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From: Paul Lipparelli <paul.lipparelli@gmail.com>
Sent: Wednesday, May 21, 2025 12:04 PM
To: Meg Byrd <mbyrd@medboard.nv.gov>
Cc: Jon Siems <siemslasik@hotmail.com>; Donald K. White <dwhite@medboard.nv.gov>
Subject: Re: Jon Siems, M.D. - Order Continuing Suspension

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

Dr. Siems and Mr. White,

I have received copies of the orders of the Board of Medical Examiners denying Dr. Siems motion to modify and continuing the suspension of his medical license. A formal hearing is still needed for the case involving the October 8, 2024 complaint (copy attached). No answer to the October 8 complaint was filed, so the allegations are deemed denied and the matter will proceed. NRS 630.339.

An Early Case Conference needs to be scheduled as soon as possible. At the Early Case Conference we will choose the dates for the formal hearing, the mandatory prehearing conference and any prehearing motions.

Early Case Conferences are held electronically. When we have agreed on a date for the Early Case Conference, I will send a link for a Zoom meeting.

I am available for an Early Case Conference almost any time during the following days:

1. May 27-29
2. June 9-13
3. June 16-18
4. June 25-27
5. July 1-3

Please respond with your availability on any of those dates.

--Paul Lipparelli, hearing officer

On Mon, Apr 28, 2025 at 10:29 AM Meg Byrd <mbyrd@medboard.nv.gov> wrote:

Good morning,
Please see the attached Order Continuing Summary Suspension from the IC.

Also, it is time to schedule an Early Case Conference as soon as possible.

Thank you,
Meg

<image001.png>



Legal Assistant to:
Donald K. White, Senior Deputy General Counsel
Ian J. Cumings, Senior Deputy General Counsel
Nevada State Board of Medical Examiners
[9600 Gateway Drive](#)
[Reno, NV 89521](#)
Tel: (775) 324-9350
Fax: (775) 688-2321
mbyrd@medboard.nv.gov

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NEVADA STATE BOARD
OF MEDICAL EXAMINERS

9600 Gateway Drive
Reno, Nevada 89521



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31852 Via Patito
Coto de Caza, C

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BC: 89521895300 *2556-01021-02-25



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

3 * * * * *

4
5 **In the Matter of Charges and**
6 **Complaint Against:**
7 **JON LANE SIEMS, M.D.,**
8 **Respondent.**

Case No. 24-13009-1

FILED

JUN 17 2025

NEVADA STATE BOARD OF
MEDICAL EXAMINERS

By: 

9
10 **SCHEDULING ORDER**

11 TO: BOARD ATTORNEY
12 Donald K. White, Esq.
13 Nevada State Board of Medical Examiners
14 9600 Gateway Drive
15 Reno, NV 89521
16 dwhite@medboard.nv.gov

~and~

17 RESPONDENT
18 Jon Lane Siems, M.D.
19 31852 Via Patito
20 Coto de Caza, CA 92679
21 siemslasik@hotmail.com

22 On June 16, 2025, an Early Case Conference was held via Zoom. The Investigative
23 Committee of the Nevada State Board of Medical Examiners (the "IC"), appeared through counsel,
24 Donald K. White, Esq. The Zoom call commenced at 9:00 a.m. The hearing officer waited until
25 9:05 a.m. to begin. The Respondent did not appear at any time during the approximately fifteen-
26 minute Zoom call.

27 In compliance with NAC 630.465, a prehearing conference will be conducted on June 27,
28 2025, beginning at 9:00 a.m. Pacific Time. The conference will be coordinated by the hearing officer
using Zoom with login information to be supplied by the hearing officer at the email addresses listed
above.

1 All parties shall exchange witness and documents intended for use at the hearing on or before
2 the pre-hearing conference. This list shall include the qualifications and anticipated testimony of the
3 witness and consecutive Bates stamp numbers shall be placed on each page of the exhibits. If a
4 witness is not included on the list, that witness may not be allowed to testify at the hearing unless
5 good cause is shown for their testimony. Likewise, if a document has not been listed in a prehearing
6 conference statement, it may not be admitted into evidence unless good cause is shown for its
7 admittance.

8 All prehearing motions shall be served on all parties and this hearing officer by July 11, 2025.
9 Responses and Oppositions to pre-hearing motions shall be served on or before July 18, 2025. There
10 are no replies without prior permission of the hearing officer. Service of prehearing motions,
11 responses and replies may be effectuated by U.S. Mail or by electronic mail (e-mail) to all parties
12 known email addresses and this hearing officer.

13 The formal hearing is hereby scheduled to commence July 29, 2025 at 9:00 a.m. The hearing
14 will be held at the office of the Nevada State Board of Medical Examiners at 9600 Gateway Drive,
15 Reno, Nevada 89521 to be attended in person by Respondent and/or legal counsel, or virtually with
16 permission of the hearing officer after a written request is made no later than July 21, 2025. A court
17 reporter will take sworn testimony during the formal hearing and will produce a transcript to the
18 hearing officer and all parties at their request and at their expense.

19 Once the formal hearing is concluded the hearing officer will submit to the Board a synopsis
20 of the testimony recorded by the court reporter. The hearing officer will make a recommendation to
21 the Board on the veracity of witnesses if there is conflicting evidence or if credibility of witnesses is a
22 determining factor. Thereafter the Board will render its decision. *See* NAC 630.470.

23 If a party wishes to have a witness appear remotely¹ a request must be made to the hearing
24 officer and the hearing officer must approve via order for appearance by the witness remotely. A
25 request must be made in writing for a remote appearance on or before July 21, 2025 by 5:00 p.m.
26 Pacific standard/daylight time. Any such remote appearance must include video and audio.

27
28

¹ Remotely means witness appearances not occurring in the Las Vegas office or Reno office of the Nevada
State Board of Medical Examiners.

1 Any stipulation to stay or change the above dates shall be made to the hearing officer either
2 by email or by formal, filed stipulation as soon as the parties are aware of the necessity for a stay.
3 Any stay request will require a status conference to be set unless a formal settlement agreement is
4 presented to the Board at the next regularly held Board meeting. If a formal settlement agreement is
5 being placed on the Board meeting agenda, notification of acceptance or denial of the settlement
6 agreement by the Board shall be delivered to this hearing officer no later than five (5) days after the
7 Board meeting by the Board attorney.

8 All parties to this case are required to keep the hearing office informed of events, progress
9 and resolution of this case.

10 **IT IS SO ORDERED.**

11 DATED this 16th day of June, 2025.

12 
13 _____
14 Hearing Officer

15 Paul A. Lipparelli
16 Tel: 775-771-6927
17 Email: paul.lipparelli@gmail.com
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CERTIFICATE OF SERVICE

I certify that on this day, I served by personally delivering or mailing, postage pre-paid, a true and correct file-stamped copy of the foregoing **SCHEDULING ORDER** to the following parties:

BOARD ATTORNEY
Donald K. White, Esq.
Nevada State Board of Medical Examiners
9600 Gateway Drive
Reno, NV 89521
dwhite@medboard.nv.gov

~and~

RESPONDENT
Jon Lane Siems, M.D.
31852 Via Patito
Coto de Caza, CA 92679
siemslasik@hotmail.com

9489 0178 9820 3037 2103 48

FedEx: 8820 9450 9691

DATED this 17th day of June, 2025.



Signature

Meg Byrd

Printed Name

Legal Assistant

Title

From: [Meg Byrd](#)
To: [Jon Siems](#); [Donald K. White](#)
Cc: [Paul Lipparelli](#)
Subject: Jon Lane Siems, M.D. - Scheduling Order
Date: Tuesday, June 17, 2025 11:03:05 AM
Attachments: [10 - Scheduling Order 6-17-25.pdf](#)
[image001.png](#)

Good morning,
Please find attached a file-stamped copy of the Scheduling Order in this case. **Please note, the hearing date is set for July 29, 2025 at 9:00 a.m. and the Prehearing Conference is scheduled for June 27, 2025 at 9:00 a.m.** The hearing officer will circulate the Zoom information for the Prehearing Conference shortly.



Meg Byrd

Legal Assistant to:
Donald K. White, Senior Deputy General Counsel
Ian J. Cumings, Senior Deputy General Counsel
Nevada State Board of Medical Examiners
9600 Gateway Drive
Reno, NV 89521
Tel: (775) 324-9350
Fax: (775) 688-2321
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June 24, 2025

Dear Customer,

The following is the proof-of-delivery for tracking number: 882094509691

Delivery Information:

Status:	Delivered	Delivered To:	Residence
Signed for by:	J.Siems	Delivery Location:	31852 Via Patito
Service type:	FedEx Priority Overnight		
Special Handling:	Deliver Weekday; Residential Delivery; Adult Signature Required		TRABUCO CANYON, CA, 92679
		Delivery date:	Jun 24, 2025 11:20

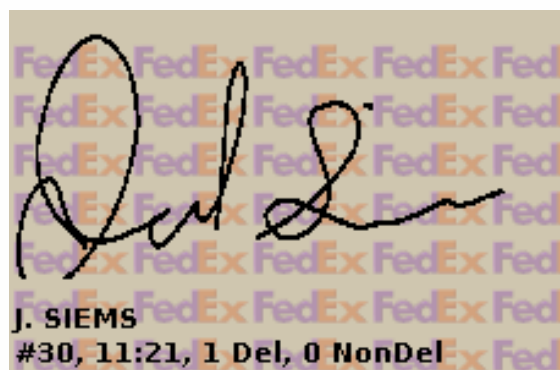
Shipping Information:

Tracking number:	882094509691	Ship Date:	Jun 23, 2025
		Weight:	0.5 LB/0.23 KG

Recipient:
Jon Lane Siems, M.D.,
31852 Via Patito
TRABUCO CANYON, CA, US, 92679

Shipper:
Meg Byrd, Nevada State Board of Med Exam
9600 Gateway Drive
RENO, NV, US, 89521

Reference Siems 24-13009-1



Thank you for choosing FedEx

NEVADA STATE BOARD
OF MEDICAL EXAMINERS

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NEVADA STATE BOARD OF
MEDICAL EXAMINERS

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JON LANE SIEMS, M.D.

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Coto de Caza CA 92679

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BEFORE THE BOARD OF MEDICAL EXAMINERS
OF THE STATE OF NEVADA

* * * * *

In the Matter of the Charges and Complaint

Case No.: 24-13009-1

Against:

FILED

JON LANE SIEMS, M.D.,

JUN 25 2025

Respondent.

NEVADA STATE BOARD OF
MEDICAL EXAMINERS
By: 

**PREHEARING CONFERENCE STATEMENT OF THE INVESTIGATIVE
COMMITTEE OF THE NEVADA STATE BOARD OF MEDICAL EXAMINERS**

The Investigative Committee (IC) of the Nevada State Board of Medical Examiners (Board) submits the following Prehearing Conference Statement in accordance with NAC 630.465 and the Hearing Officer's Scheduling Order filed on June 17, 2025.

I. LIST OF WITNESSES

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

- a. Ernesto Diaz, Chief of Investigations or his designee
Nevada State Board of Medical Examiners
9600 Gateway Drive
Reno, NV 89521

Mr. Diaz is expected to verify documentary evidence obtained during the investigation of this case and testify regarding the investigation of this matter.

- b. Jon Lane Siems, M.D.
31852 Via Patito
Coto de Caza, CA 92679

Dr. Siems is expected to testify regarding the facts and circumstances surrounding the formal Complaint in this case.

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

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

II. LIST OF EXHIBITS

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

EXHIBIT NO.	DESCRIPTION	BATES RANGE (NSBME)
1	Findings of Fact, Conclusions of Law, and Order filed December 19, 2023	001-017
2	Compliance Letter to Dr. Siems dated December 19, 2023	018-019
3	Proof of Service of Compliance Letter and Findings of Fact, Conclusions of Law, and Order	020-024
4	Order Denying Modification of the Terms of the Findings of Fact, Conclusions of Law, and Order	025-029
5	Emails to and from Johnna LaRue, Compliance Officer of the Board from CPEP Education For Healthcare Professionals	030-033
6	Board's Payment History for Dr. Siems from December 19, 2023 through October 8, 2024	034

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

4 DATED this 25th day of June, 2025.

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

7 By: _____

8 DONALD K. WHITE
9 Senior Deputy General Counsel
10 9600 Gateway Drive
11 Reno, NV 89521
12 Tel: (775) 688-2559
13 Email: dwhite@medboard.nv.gov
14 *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 25th day of June, 2025, I served a file-stamped copy of the foregoing PREHEARING CONFERENCE STATEMENT OF THE INVESTIGATIVE COMMITTEE OF THE NEVADA STATE BOARD OF MEDICAL EXAMINERS, via Fed Ex Overnight, postage pre-paid, to the following parties:

Jon Lane Siems, M.D.
31852 Via Patito
Coto de Caza, CA 92679
Respondent

Paul Lipparelli, Esq.
Lipparelli Legal Services Prof. LLC
2633 Spearpoint Drive
Reno, NV 89509
Hearing Officer

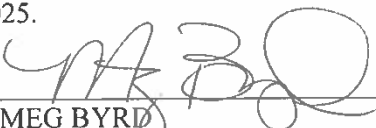
Respondent Tracking No.: 8823 0359 6308

Hearing Officer Tracking No.: 8823 0374 7029

With courtesy copy without exhibits by email to:

Jon Lane Siems, M.D., at [siemslasik@hotmail.com]
Paul Lipparelli, Esq., at [paul.lipparelli@gmail.com]

DATED this 25th day of June, 2025.


MEG BYRD
Legal Assistant
Nevada State Board of Medical Examiners

From: [Meg Byrd](#)
To: [Paul Lipparelli](#); [Jon Siems](#)
Cc: [Donald K. White](#)
Subject: Jon Siems, M.D. - 24-13009-1 - Prehearing Conference Statement
Date: Wednesday, June 25, 2025 12:32:50 PM
Attachments: [11 - IC's Prehearing Conf Stmt 6-25-25.pdf](#)
[image001.png](#)

Good afternoon,
Please see the IC's Prehearing Conference Statement that is attached. A Fed Ex package has been sent to Mr. Lipparelli and Dr. Siems that include a thumb drive of exhibits. The thumb drive requires a password to be opened.

The password is:
Siems#24130091

Please let me know if you have any trouble opening the drive.

Thank you,
Meg



Meg Byrd

Legal Assistant to:
Donald K. White, Senior Deputy General Counsel
Ian J. Cumings, Senior Deputy General Counsel
Nevada State Board of Medical Examiners
9600 Gateway Drive
Reno, NV 89521
Tel: (775) 324-9350
Fax: (775) 688-2321
mbyrd@medboard.nv.gov

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June 26, 2025

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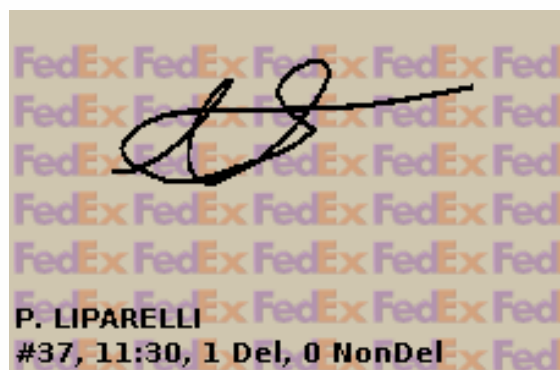
Status:	Delivered	Delivered To:	Residence
Signed for by:	P.Liparelli	Delivery Location:	2633 Spearpoint Drive
Service type:	FedEx Priority Overnight		
Special Handling:	Deliver Weekday; Residential Delivery; Adult Signature Required		RENO, NV, 89509
		Delivery date:	Jun 26, 2025 11:28

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		Weight:	3.0 LB/1.36 KG

Recipient:
Paul Liparelli, Esq., Liparelli Legal Services Prof. LLC
2633 Spearpoint Drive
RENO, NV, US, 89509

Shipper:
Meg Byrd, Nevada State Board of Med Exam
9600 Gateway Drive
RENO, NV, US, 89521



Thank you for choosing FedEx



June 27, 2025

Dear Customer,

The following is the proof-of-delivery for tracking number: 882303596308

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Status:	Delivered	Delivered To:	Residence
Signed for by:	J.Siems	Delivery Location:	31852 Via Patito
Service type:	FedEx Priority Overnight		
Special Handling:	Deliver Weekday; Residential Delivery; Adult Signature Required		TRABUCO CANYON, CA, 92679
		Delivery date:	Jun 27, 2025 11:41

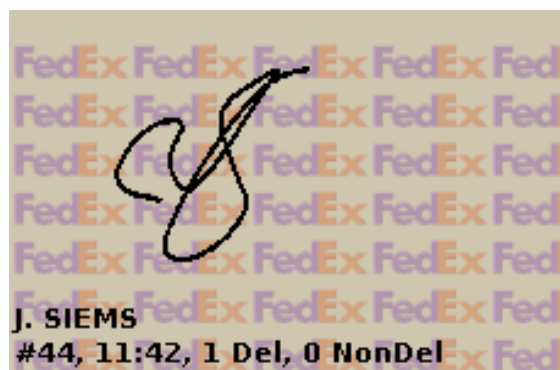
Shipping Information:

Tracking number:	882303596308	Ship Date:	Jun 25, 2025
		Weight:	3.0 LB/1.36 KG

Recipient:
Jon Siems, M.D.,
31852 Via Patito
TRABUCO CANYON, CA, US, 92679

Shipper:
Meg Byrd, Nevada State Board of Med Exam
9600 Gateway Drive
RENO, NV, US, 89521

Reference Siems 24-13009-1



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