



## Bioethical Consideration: Under-Utilized Alternatives to Yoga to Benefit Brain, Spiritual and Physical Health Do Exist

By: *Rachel V. Rose, JD, MBA*

### Overview

When I am asked what “bioethics” is, I reply that “it is the convergence of clinical medicine, law, religion and philosophy, any one item or combination of items may be utilized to address a situation arising in a clinical or a health policy setting.” As I celebrate twelve (12) years of teaching bioethics at Baylor College of Medicine (Houston, Texas), I took time to reflect on I describe bioethics. In turn, it made me examine the aforementioned four (4) items and the one that stood out to me was religion.

Typically, when addressing religion in bioethics, a variety of situations arise – treatment refusal based on religious beliefs, reproductive health care, end of life issues, and utilizing a scarce resource until a priest or a minister<sup>1</sup>, a rabbi<sup>2</sup>, or other religious leader or healer<sup>3</sup> arrives to either say a final prayer or deliver a sacrament. But what about the spiritual component’s everyday application to preventative health from a physical, mental (whether depression, anxiety and/or trauma) and emotional health, which is what a variety of medical professionals regularly address?

Until recently, I never appreciated how telling some to simply “do yoga” to reduce stress, anxiety, depression and alleviate symptoms associated with post-traumatic stress disorder (PTSD)<sup>4</sup> could run in opposition to an individual’s spiritual and religious beliefs. At the suggestion of a law school professor, I began doing yoga to reduce stress and address traumatic events.<sup>5</sup> Because I have always been active, I viewed yoga as just another form of exercise with an additional focus on breathing. Great!

I failed to appreciate that yoga is predicated on religion – typically Hinduism, as some individuals consider it to be both secular and spiritual.<sup>6</sup> So, for doctors and other medical professionals who are to “do no harm”<sup>7</sup> and for lawyers who have a similar obligation to clients<sup>8</sup> (with the caveat that patients have a shared responsibility model with the respective medical or legal professional), the yoga recommendation could actually cause additional distress to individuals, as many major religions, including Christianity, Judaism and Islam, are monotheistic – meaning that practitioners of these religions believe in and worship one God while denying the existence of other gods.<sup>9</sup> By way of contrast, Hinduism is polytheistic and many deities are worshiped.<sup>10</sup>

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### MISSION STATEMENT

The Nevada State Board of Medical Examiners protects the public and serves the State of Nevada by ensuring that only well-qualified, competent physicians, physician assistants, practitioners of respiratory care, perfusionists and anesthesiologist assistants receive licenses to practice in Nevada. The Board responds with expediency to complaints against our licensees by conducting fair, complete investigations that result in appropriate action. In all Board activities, the Board shall place the interests of the public before the interests of the medical profession and encourage public input and involvement to help educate the public as we improve the quality of medical practice in Nevada.

# LICENSE RENEWAL INFORMATION

## BEFORE YOU RENEW!

**MEDICAL DOCTORS:** Pursuant to Nevada Revised Statute 630.30665, you are required to submit to the Nevada State Board of Medical Examiners the requisite in-office surgery reporting form for the period of January 1, 2023 through December 31, 2024, **prior** to renewing your license in 2025, and you will be required to attest on your renewal application that you are in compliance with the reporting requirements of NRS 630.30665. The reporting form and instructions are available on the Board's website (<https://medboard.nv.gov>), at: [https://medboard.nv.gov/Forms/In-Office Surgery/](https://medboard.nv.gov/Forms/In-Office_Surgery/).

## 2025 LICENSE RENEWAL – HOW TO RENEW

The 2025 license renewal period will begin **on or after April 21, 2025**. All licensees, other than Anesthesiologist Assistants, should renew online. Online renewal is not available to Anesthesiologist Assistants this year and they will receive a renewal application form via email. You must renew your license before 5:00 P.M. PDT, June 30, 2025. Once renewed, licenses are valid from July 1, 2025 - June 30, 2027.

Licensees will receive a renewal notification **via email** when the renewal period begins, which will include renewal instructions. To renew online, licensees will login through the "[Current Licensee Portal](#)" on the Board's website (<https://medboard.nv.gov>). In order to utilize the Current Licensee Portal, licensees **must** have a unique email address on file with the Board. Please login to the Current Licensee Portal now and check to make sure the Board has your **current** email address, as well as other contact information, to ensure you are ready to renew. If you need to update your email or other contact information, you may do so in the portal or you may complete and submit a "[Notification of Address Change](#)" form, found on the Board's website. You may either email the form to the Board at [nsbme@medboard.nv.gov](mailto:nsbme@medboard.nv.gov), or fax it to the Board at 775-688-2321.

### Renewal Fees:

Active Medical Doctors	\$800
Inactive Medical Doctors	\$400
Active Physician Assistants	\$400
Inactive Physician Assistants	\$ 0
Perfusionists	\$400
Practitioners of Respiratory Care	\$200
Anesthesiologist Assistants	\$400

You may pay your renewal fees with American Express, Discover, MasterCard, Visa, cashier's check or money order. The Board cannot accept personal checks or cash for renewal fees. You will be charged a non-refundable card payment-processing fee of 2.5% for debit and credit cards by the Board's payment processor.

All licensees should be prepared to attest to completion of their required continuing medical education (CME)/continuing education (CE) on their renewal applications. Further information regarding [CME/CE requirements](#) is available on the Board's website.

# BOARD NEWS

## Hugh L. Bassewitz, M.D., FAAOS Joins Board of Medical Examiners

**Hugh L. Bassewitz, M.D., FAAOS** was appointed by Governor Joe Lombardo to a position on the Nevada State Board of Medical Examiners (Board) effective September 1, 2024. The Board welcomes **Dr. Bassewitz** as a physician member.

**Dr. Bassewitz** is an Orthopedic Spine Surgeon and a Senior Managing Partner at Desert Orthopaedic Center in Las Vegas, Nevada. He graduated from Tufts University with a B.S. in Biology and received his M.D. from the Johns Hopkins University School of Medicine in Baltimore, Maryland. He completed his General Surgery internship and Orthopaedic Surgery residency at UCLA and a spinal surgery fellowship at William Beaumont Hospital in Royal Oak, Michigan. He has practiced in Nevada since 2000. He earned board certification by the American Board of Orthopaedic Surgery in 2003 and recertified in 2013 and 2023. He has been a Fellow of the American Academy of Orthopaedic Surgeons since 2005.

**Dr. Bassewitz** is a member of the North American Spine Society (NASS), the American Academy of Orthopaedic Surgery (AAOS), the Clark County Medical Society (CCMS), the Nevada State Medical Association, and the Nevada Orthopaedic Society. He is a current trustee for CCMS, has served on the AAOS Board of Councilors, is a past president of the Nevada Orthopaedic Society, and is a former chief of surgery at Desert Springs Hospital.

**Dr. Bassewitz** specializes in cervical and lumbar surgery, robotic surgery, microsurgery, and minimally invasive surgery. He focuses on complex spine reconstruction via minimally invasive techniques.

During his training, **Dr. Bassewitz** participated in clinical and surgical research projects and published peer-reviewed articles and book chapters. He continues to lecture regionally and nationally on degenerative disorders of the spine and spinal reconstruction. He serves as a spine consultant for the Las Vegas Raiders and the Vegas Golden Knights.

**Dr. Bassewitz** is the Director of the Desert Orthopaedic Center/Jewish Nevada/American Friends of the Rabin Medical Center Annual Visiting Fellowship, which hosts a visiting Israeli Orthopaedic Surgery resident for two weeks each year. He has taught internal and family medicine residents from UNLV, Orthopaedic surgery residents from Valley Hospital, and medical students from Touro University. He has participated in both implant design and training in collaboration with the spinal implant industry.

**Dr. Bassewitz** currently serves on the Board of Directors of the Council for a Better Nevada and on the Board of Advisors for Nevada State Bank. He is a past Chairman of the Board of the Jewish Federation of Las Vegas.

## THE BOARD IS UPGRADING ITS NEWSLETTER

The Board of Medical Examiners is pleased to announce that beginning with its newsletter in June 2025, the Board will be utilizing Constant Contact for its newsletters, to better serve the public and its licensees. Accordingly, future newsletters will no longer be available in hard copy. If you are currently receiving the Board's newsletters by mail and wish to continue receiving the newsletters via email, please contact the Board by email at [nsbme@medboard.nv.gov](mailto:nsbme@medboard.nv.gov), or by phone at 775-688-2559 or 888-890-8210 (toll free).

The newsletters will also still be available on the Board's website at <https://medboard.nv.gov/Resources/Newsletters/Newsletters/>.

First, let's consider breathing – an essential element of life. As medical literature states:

Breathing practices' effects on the autonomic nervous system and brain may underlie their stress-reducing benefits. Effective breathing interventions support greater parasympathetic tone, which can counterbalance the high sympathetic activity intrinsic to stress and anxiety. Respiratory entrainment of brain rhythms offers an additional avenue through which breathing may influence neural circuit dynamics, cognition, and mood [26,27]. Breathing also uniquely engages in a reciprocal relationship with stress and anxiety, whereby stress and anxiety can both affect and be affected by altered respiratory patterns. Due to the shared neurophysiological underpinnings of stress and anxiety, from hereon, the term "stress" is used to encompass both conditions.<sup>11</sup>

A core aspect of yoga is conscious and deep breathing involving the diaphragm. But one does not need to do yoga to benefit from breathing practices that reduce stress and anxiety. In fact, I had a gymnastic and ballet coach early in life, as well as a "life coach" as an adult who introduced me to mindful breathing years before I stepped foot into a yoga studio. In fact, deep and controlled breathing is equally as important in ballet (or barre class) as it is yoga – there's just no religious component to it and often classical music is played.<sup>12</sup>

So, what alternatives exist to yoga that respect an individual's religious beliefs, even if they are different from your own? First, "judge not, lest ye be judged."<sup>13</sup> Personally, I was fortunate to explore different religions during the course of my undergraduate studies to at least gain a semblance of the nuances of different religions and respect that we all have free will to choose a particular religion and the related spiritual beliefs. Second, a person's free will to choose his/her religious preference should not be judged. Lastly, it does not mean that a medical or legal professional needs to agree with the religious practice, should not take steps consistent with their religion, especially Abrahamic religions, to protect oneself or participate in a particular religion session/prayer.

This brings us to the yoga-alternatives of a physician prescribing walking and praying or a lawyer suggesting this alternative, as well as encouraging the patient or client to converse with that individual's religious leader in a church, synagogue or mosque for example.

### Analysis

There are many alternatives to yoga when seeking to achieve mindfulness, stress reduction and control autonomic nervous system responses. Pilates, ballet (barre) and walking are all viable alternatives to yoga, which combine exercise with mindful breathing.<sup>14</sup>

Walking, prayer and breathing – what a novel concept! A leading neuroscientist wrote a book, *How God Changes Our Brain: Breakthrough Findings from a Leading Neuroscientist*, which piqued my interest.<sup>15</sup> Some of the key discoveries include:

1. Not only do prayer and spiritual practice reduce stress and anxiety, but just 12 minutes of meditation per day may slow down the aging process.
2. Contemplating a loving God rather than a punitive God reduces anxiety, depression, and stress, and increases feelings of security, compassion, and love.
3. Fundamentalism, in and of itself, is benign and can be personally beneficial, but the anger and prejudice generated by extreme beliefs can permanently damage your brain.

4. Intense prayer and meditation permanently change numerous structures and functions in the brain – altering your values and the way you perceive reality.<sup>16</sup>

Westmont College's then president, Gayle D. Beebe, PhD, published an insightful article, *How Faith and Prayer Benefit the Brain*,<sup>17</sup> which references the aforementioned book. It is no secret that traumatic events can create anger and a host of other negative emotions, as well as mental health conditions such as PTSD, depression and/or anxiety.<sup>18</sup> Here are some key take-aways from Dr. Beebe's article:

**Newberg describes eight things we can do to positively shape our brains. He begins with the value of maintaining personal religious faith and adds spending time each day in prayer and personal reflection. Also important is talking to others and being part of a community. Aerobic exercise helps our brain develop as well.** So does yawning, which Newberg says focuses our attention. Another activity is listening to 12 minutes of relaxing music every day. Staying intellectually active and becoming a lifelong learner also benefit the brain. Finally, he says smiling builds community. People who smile attract others; those who frown or show anger push people away. (emphasis added).

It's interesting to bring Newberg's book together with Evagrius and his treatment of anger. Noting that anger pulls communities apart, Evagrius called it the most feared passion, a boiling wrath against those we think have harmed us.

We all struggle at one time or another with this emotion, which Newberg describes as the most primal and difficult to control. Anger interrupts the functioning of our frontal lobes and causes us to lose the capacity for compassion and empathy. It also releases a cascade of neurochemicals that destroy the parts of the brain that control emotional reactions. In other words, anger causes us to lose our capacity to self-regulate, to make a measured response regardless of the stimulus. Interestingly, Evagrius identified mildness, or the capacity for self-restraint, as the godly virtue that corresponds with the deadly thought of anger.

When we intently and consistently focus on our spiritual values, we increase the blood flow to our frontal lobes and to our anterior cingulate, which causes the activity in the emotional centers of our brain to decrease. That helps us develop the capacity to make responses that maintain and even restore community. But conscious intention is the key. The more we focus on our inner values, the more we can take charge of our life.<sup>19</sup>

This brought me to how, like yoga, exercise and prayer/meditation consistent with one's religion, can be incorporated into one's lifestyle to address a clinical scenario with a religious component being considered. Why not suggest walking, pilates or barre with a specific focus on breathing and mindfulness. Prayer can also be incorporated in a variety of ways that is consistent with a monotheistic individual's religion.

As it turns out, physicians and other medical professionals prescribe walking as the number one exercise for reducing weight, improving blood pressure and other conditions, and overall well-being.<sup>20</sup> Why? It is convenient, inexpensive (a pair of good walking shoes) and can be done anywhere – laps in a mall, outside in a park, city or high school track, or up and down stairs in a building.<sup>21</sup> Walking and praying, whether through the Rosary, prayer, or listening to a sermon, is also suggested and accepted by major monotheistic religions.<sup>22</sup> While pilates and barre classes may not lend themselves to the outward prayer or listening aspect, they do enable an individual to achieve exercise and mindful breathing. It is a "win-win" for physicians and patients, as well as lawyers

and clients alike, whose patients or clients' personal religious beliefs are inconsistent with yoga to suggest mindful breathing (and prayer if appropriate) through walking, pilates and/or barre.

## Conclusion

Once I examined how yoga contradicts monotheism, I stopped going. Instead of yoga, which I often did as an additional workout, I do mindful breathing while walking, doing pilates or barre while praying or listening to a podcast that is consistent with my religious beliefs. Providing these alternatives respects a patient's individual religious choice (or for a lawyer, a client's individual religious choice) and furthers the goals of promoting physical health, meditative breathing and mental health. In turn, the yoga-alternative may likely lead to better health outcomes and reduced stress.

From a bioethics standpoint, this proposal aligns with addressing a clinical situation from a medical, legal, religious and philosophical perspective that is tailored to an individual without judgement. In sum, yoga is not the singular answer, it may be the wrong answer for some patients and clients and cause additional harm instead of promoting "doing no harm."

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<sup>1</sup><https://www.britannica.com/topic/priest-Christianity> (last visited Feb. 26, 2025); <https://bismarckdiocese.com/news/how-does-a-catholic-priest-differ-from-ministers-in-other-religious-faiths> (last visited Feb. 26, 2025).

<sup>2</sup> <https://www.jewfaq.org/rabbi> (last visited Feb. 26, 2025).

<sup>3</sup> [https://en.wikipedia.org/wiki/Major\\_religious\\_groups](https://en.wikipedia.org/wiki/Major_religious_groups) (last visited Feb. 26, 2025).

<sup>4</sup> R.V. Rose, *Preparing a PTSD Client for Court Depositions and Testimony* (Spring 2018), <https://www.fedbar.org/federal-litigation-section/wp-content/uploads/sites/118/2019/12/Fed-Lit-Spring-2018-v2-pdf.pdf>.

<sup>5</sup> C. Teegardin, D. Robbins, *An AJC National Investigation - Still Unforgiven*, [https://doctors.ajc.com/still\\_forgiven/?ecmp=doctorssexabuse\\_microsite\\_nav](https://doctors.ajc.com/still_forgiven/?ecmp=doctorssexabuse_microsite_nav) (last visited Feb. 26, 2025) (quoting Rachel V. Rose as a health care lawyer who also teaches bioethics, as well as highlighting her personal story).

<sup>6</sup> See <https://www.yogajournal.com/yoga-101/spirituality/lets-talk-about-yoga-faith/> (Mar. 11, 2022).

<sup>7</sup> American Medical Association, *AMA Declaration of Professional Responsibility*, <https://www.ama-assn.org/delivering-care/public-health/ama-declaration-professional-responsibility#> (last visited Feb. 26, 2025). R. Shmerling, *First, do no harm*, *Harvard Health Blog* (Jun. 22, 2020), <https://www.health.harvard.edu/blog/first-do-no-harm-201510138421>.

<sup>8</sup> G. M. Kraw, *Lawyers' response: First, do no harm*, *California Bar Journal* (Nov. 2001), <https://archive.calbar.ca.gov/archive/calbar/2cbj/01nov/page8-2.htm>.

<sup>9</sup> See <https://www.thecollector.com/understanding-monotheism-religions/> (updated Feb. 21, 2025).

<sup>10</sup> D. Feofanov, *Defining Religion: An Immodest Proposal*, *Hofstra Law Review*, Vol. 23:309, pp. 310, 383 (1994-1995), [https://www.hofstralawreview.org/wp-content/uploads/2014/05/14\\_23HofstraLRev3091994-1995.pdf](https://www.hofstralawreview.org/wp-content/uploads/2014/05/14_23HofstraLRev3091994-1995.pdf).

<sup>11</sup> T. G.K. Bentley, et al., *Breathing Practices for Stress and Anxiety Reduction: Conceptual Framework of Implementation Guidelines Based on a Systematic Review of the Published Literature*, *Brain Sci.* 2023 Nov. 21; 13(12) (internal citations omitted), <https://pmc.ncbi.nlm.nih.gov/articles/PMC10741869/#:~:text=Breathing%20practices%20effects%20on%20the,ineffective%20interventions%20is%20of%20interest>.

<sup>12</sup> See <https://school.ballet58.org/blog/2015/4/16/breathing-for-dancers> (last visited Mar. 9, 2025).

<sup>13</sup> Matthew 7:1 (referring to the Bible verse appearing in the Sermon on the Mount).

<sup>14</sup> See <https://medfitnetwork.org/public/all-mfn/5-pilates-exercises-to-improve-respiratory-function/> (last visited Mar. 9, 2025) (highlighting the benefits of breathing in pilates); J. Patterson, *Physician Health and Well-Being: Mindful Walking* (Feb. 28, 2023), <https://www.lexingtondoctors.org/2023/02/28/physician-health-and-well-being-mindful-walking/>.

<sup>15</sup> A. Newberg, M. Waldman, *How God Changes Your Brain – Breakthrough Findings from a Leading Neuroscientist*, <https://www.andrewnewberg.com/books/how-god-changes-your-brain-breakthrough-findings-from-a-leading-neuroscientist> (last visited Feb. 26, 2025).

<sup>16</sup> *Ibid.*

<sup>17</sup> See <https://www.westmont.edu/how-faith-and-prayer-benefit-brain> (Spring 2012).

<sup>18</sup> E. Win, et al., *Trait anger expression mediates childhood trauma predicting for adult anxiety, depressive, and alcohol use disorders*, *J Affect Disord.* 2021 Apr 3; 288: 114-121, <https://pmc.ncbi.nlm.nih.gov/articles/PMC8154744/>.

<sup>19</sup> *Supra* n. 14 (emphasizing Evagrius, who is credited with initially identifying the seven deadly thoughts, which eventually translated to the seven deadly sins); see also, Comment, *That Man of Understanding – A material introduction to Evagrius of Pontus*, <https://comment.org/that-man-of-understanding/> (last visited Feb. 26, 2025).

<sup>20</sup> Mayo Clinic, *Walking: Trim your waistline, improve your health*, <https://www.mayoclinic.org/healthy-lifestyle/fitness/in-depth/walking/art-20046261> (last visited Feb. 26, 2025); see also American Heart Association, *Why is Walking the Most Popular Form of Exercise?* (last reviewed Jan. 19, 2024), <https://www.heart.org/en/healthy-living/fitness/walking/why-is-walking-the-most-popular-form-of-exercise>.

<sup>21</sup> *Ibid.*

<sup>22</sup> J. Williams, *Tips and Sainly Wisdom for Praying the Rosary Well* (Apr. 22, 2020), <https://media.ascensionpress.com/2020/04/22/tips-and-sainly-wisdom-for-praying-the-rosary-well/>; see J. Rudoren, *Wow, please, thank you: How I learned to pray on a walk in the woods* (Sept. 1, 2023), <https://forward.com/forward-newsletters/looking-forward/559428/wow-please-thank-you-how-i-learned-to-pray-on-a-walk-in-the-woods/#:~:text=The%20rabbi%2C%20Brent%20Chaim%20Spodek,forgot%20it%20would%20involve%20praying>. (highlighting a rabbi’s wisdom. “We Jews live in our head. And I think prayer done right is not a head exercise, [i]t’s a heart exercise.”); see also C. Salaat, *Praying While Walking or Driving* (Jul. 5, 2016), <https://www.chriscaras.com/fiqh/worship/salaat/rijalan-rukbanal/> (highlighting Islamic prayer and indicating that, “[g]uard strictly the prayers, and the middle prayer, and stand devoutly to Allah. If you are in fear, then[offer prayer] while riding or on foot.”).

**Rachel V. Rose, JD, MBA**, (Houston, Texas), advises clients on compliance, transactions, government administrative actions, and litigation involving healthcare, cybersecurity, corporate and securities law, as well as False Claims Act and Dodd-Frank whistleblower cases. She also teaches bioethics at Baylor College of Medicine in Houston and is an American Bar Association Fellow. Rachel can be reached through her website, [www.rvrose.com](http://www.rvrose.com).

*Disclaimer: The opinions expressed in this article are those of the author, and do not necessarily reflect the opinions of the Board members or staff of the Nevada State Board of Medical Examiners.*

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## **2025 BME MEETING & HOLIDAY SCHEDULE**

**January 1** – New Year’s Day  
**January 20** – Martin Luther King, Jr. Day  
**February 17** – Presidents’ Day  
**March 7** – Board meeting (Las Vegas)  
**May 26** – Memorial Day  
**June 6** – Board meeting (Reno)  
**June 19** – Juneteenth  
**July 4** – Independence Day  
**September 1** – Labor Day  
**September 12** – Board meeting (Reno)  
**October 31** – Nevada Day  
**November 11** – Veterans’ Day  
**November 27 & 28** – Thanksgiving Day & Family Day  
**December 12** – Board meeting (Las Vegas)  
**December 25** – Christmas

## **NOTIFICATION OF ADDRESS CHANGE, PRACTICE CLOSURE AND LOCATION OF RECORDS**

Pursuant to NRS 630.254, all licensees of the Board are required to "maintain a permanent mailing address with the Board to which all communications from the Board to the licensee must be sent." A licensee must notify the Board in writing of a change of permanent mailing address within 30 days after the change. Failure to do so may result in the imposition of a fine or initiation of disciplinary proceedings against the licensee.

Please keep in mind the address you provide will be viewable by the public on the Board's website.

Additionally, if you close your practice in Nevada, you are required to notify the Board in writing within 14 days after the closure, and for a period of 5 years thereafter, keep the Board apprised of the location of the medical records of your patients.

*As noted, Board meetings are held at the Reno office of the Nevada State Board of Medical Examiners, 9600 Gateway Drive, and videoconferenced to the Las Vegas office of the Nevada State Board of Medical Examiners, 325 E. Warm Springs Road, Suite 225, or held at the Las Vegas office and videoconferenced to the Reno office.*

# DISCIPLINARY ACTION REPORT

## **AGU, Ajumobi C., M.D. (8857)**

### **Henderson, Nevada**

Summary: Alleged knowing or willful failure to comply with an order of the Board.

Charges: Two violations of NRS 630.3065(2)(a) [knowingly or willfully failing to comply with a regulation, subpoena or order of the Board or a committee designated by the Board to investigate a complaint against a physician].

Disposition: On March 7, 2025, the Board found, by a preponderance of the evidence, that Dr. Agu violated NRS 630.3065(2)(a), as alleged in Count I of the underlying First Amended Complaint. The Board ordered that Dr. Agu receive a public reprimand; pay a fine of \$2,500; and complete a physical and mental examination to assess his competence and ability to practice medicine, pursuant to NRS 630.352. His license to practice medicine will be reinstated following successful completion of the exam. Dr. Agu will reimburse the Board's fees and costs incurred in the case, pursuant to the Memorandum of Costs and Disbursements and Attorneys' Fees.

## **BASILAN, Warren S., RRT (RC1999)**

### **Las Vegas, Nevada**

Summary: On September 15, 2023, the Board entered into a Settlement Agreement with Mr. Basilan wherein, among other requirements, he agreed to submit to and pass all five (5) sections of the Ethics and Boundaries Assessment Services (EBAS) examination within one hundred eighty (180) days of Board approval of the agreement, at his own expense. Thereafter, Mr. Basilan requested the Board accept the voluntary surrender of his license to practice respiratory therapy in lieu of successful completion of EBAS.

Original Charges: One violation of NRS 630.301(4) [malpractice]; one violation of NRS 630.3062(1)(a) [failure to maintain timely, legible, accurate and complete medical records relating to the diagnosis, treatment and care of a patient]; one violation of NRS 630.306(1)(p) [engaging in

any act that is unsafe or unprofessional conduct in accordance with regulations adopted by the Board]; one violation of NRS 630.301(7) [engaging in conduct that violates the trust of a patient and exploits the relationship between the physician and the patient for financial or other personal gain].

Disposition: On March 7, 2025, the Board accepted a First Amended Settlement Agreement which allowed for an order to be entered that Mr. Basilan will voluntarily surrender his license to practice respiratory care in the State of Nevada and he will not reapply for a license to practice respiratory care in the State of Nevada for a period of three years.

## **DE LEE, Frank J., M.D. (4126)**

### **Las Vegas, Nevada**

Summary: Alleged malpractice and failure to maintain appropriate medical records relating to his treatment of three patients.

Charges: Three violations of NRS 630.301(4) [malpractice]; three violations of NRS 630.3062(1)(a) [failure to maintain timely, legible, accurate and complete medical records relating to the diagnosis, treatment and care of a patient].

Disposition: On March 7, 2025, the Board accepted a Settlement Agreement by which it found Dr. De Lee violated NRS 630.301(4), as set forth in Counts I-III of the Complaint, and NRS 630.3062(1)(a), as set forth in Counts IV-VI of the Complaint, and imposed the following discipline against him: Dr. De Lee asserts it is his intention to retire from the practice of medicine, and agrees to surrender his license to practice medicine in the State of Nevada pursuant to NAC 630.240. Dr. De Lee agrees he will not reapply for licensure to practice medicine in the State of Nevada for two years after the date of the Board's acceptance, adoption and approval of the Settlement Agreement. Dr. De Lee shall receive a public reprimand and reimburse the Board's costs and fees incurred in the investigation and prosecution of the case, with the payment of costs and fees stayed until such time as he reapplies for licensure.

## **GABRIEL, Scott T., M.D. (11590)**

### **Las Vegas, Nevada**

Summary: Alleged malpractice and failure to maintain appropriate medical records relating to his treatment of a patient.

Charges: Two violations of NRS 630.301(4) [malpractice]; one violation of NRS 630.3062(1)(a) [failure to maintain timely, legible, accurate and complete medical records relating to the diagnosis, treatment and care of a patient].

Disposition: On March 7, 2025, the Board accepted a Settlement Agreement by which it found Dr. Gabriel violated NRS 630.3062(1)(a), as set forth in Count III of the Complaint, and imposed the following discipline against him: (1) public reprimand; (2) \$3,000 fine; (3) six hours of continuing medical education (CME), in addition to his statutory CME requirements for licensure; (4) reimbursement of the Board's fees and costs incurred in the investigation and prosecution of the case. Counts I and II of the Complaint were dismissed with prejudice.

## **HADI, Samir, M.D. (18477)**

### **North Las Vegas, Nevada**

Summary: Alleged malpractice and failure to maintain appropriate medical records relating to his treatment of a patient.

Charges: One violation of NRS 630.301(4) [malpractice]; one violation of NRS 630.3062(1)(a) [failure to maintain timely, legible, accurate and complete medical records relating to the diagnosis, treatment and care of a patient].

Disposition: On March 7, 2025, the Board accepted a Settlement Agreement by which it found Dr. Hadi violated NRS 630.301(4), as set forth in Count I of the Complaint, and imposed the following discipline against him: (1) public reprimand; (2) \$3,000 fine; (3) reimbursement of the Board's fees and costs incurred in the investigation and prosecution of the case. Count II of the Complaint was dismissed with prejudice.

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**HESTDALEN, Kristin A., M.D. (10215)  
Tahoe City, California**

Summary: Reasonable belief that the health, safety and welfare of the public was at imminent risk of harm.

Statutory Authority: NRS 630.326(1) [risk of imminent harm to the health, safety or welfare of the public or any patient served by the licensee].

Action Taken: On January 14, 2025, the Investigative Committee summarily suspended Dr. Hestdalen’s license to practice medicine in the State of Nevada until further order of the Investigative Committee or the Board of Medical Examiners.

**TATINENY, Kalyan C., M.D. (14773)  
Chesterfield, Missouri**

Summary: Alleged malpractice.

Charges: One violation of NRS 630.301(4) [malpractice].

Disposition: On March 7, 2025, the Board accepted a Settlement Agreement by which it found Dr. Tatineny violated NRS 630.301(4) as set forth in the Complaint, and imposed the following discipline against him: (1) public reprimand; (2) \$2,500 fine; (3) four hours of continuing medical education (CME), in addition to his statutory CME requirements for licensure; (4) reimbursement of the Board’s fees and costs incurred in the investigation and prosecution of the case.

**ROSS, David M., M.D. (6082)  
Las Vegas, Nevada**

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Summary: Alleged malpractice and failure to maintain appropriate medical records relating to his treatment of a patient.

Charges: One violation of NRS 630.301(4) [malpractice]; one violation of NRS 630.3062(1)(a) [failure to maintain timely, legible, accurate and complete medical records relating to the diagnosis, treatment and care of a patient].

Disposition: On March 7, 2025, the Board accepted a Settlement Agreement by which it found Dr. Ross violated NRS 630.3062(1)(a), as set forth in Count II of the Complaint, and imposed the following discipline against him: (1) public reprimand; (2) \$2,000 fine; (3) five hours of continuing medical education (CME), in addition to his statutory CME requirements for licensure; (4) reimbursement of the Board’s fees and costs incurred in the investigation and prosecution of the case. Count I of the Complaint was dismissed with prejudice.

# Public Reprimands Ordered by the Board

March 17, 2025

Ajumobi Charles Agu, M.D.  
273 Far Away Street  
Henderson, NV 89074

**Re: In the Matter of Charges and Complaint  
Against Ajumobi Charles Agu, M.D.  
BME Case No. 23-12518-1**

Dr. Agu:

On March 7, 2025, the Nevada State Board of Medical Examiners (Board) considered the findings and recommendations submitted by the hearing officer in relation to the formal Complaint filed against you, Case No. 23-12518-1.

The Board entered an Order finding you violated one (1) count of NRS 630.3065(2)(a) Knowing or Willful Failure to Comply with a Board Order. For this, you shall be publicly reprimanded, and you will complete a physical and mental examination to assess your competence and ability to practice medicine pursuant to NRS 630.352. Your license to practice medicine will be reinstated following successful completion of the exam. Additionally, you shall pay a fine in the amount of two thousand five hundred dollars (\$2,500) as well as the Board's fees and costs incurred in the investigation and prosecution of this matter.

The Board formally and publicly reprimands you for your conduct which has brought professional disrespect upon you, and which reflects unfavorably upon the medical profession as a whole.

Sincerely,

Nick M. Spirtos, M.D., F.A.C.O.G., President  
Nevada State Board of Medical Examiners

March 17, 2025

Frank Joseph De Lee, M.D.  
8270 West Agate Ave.  
Las Vegas, NV 89113

**Re: In the Matter of Charges and Complaint  
Against Frank Joseph De Lee, M.D.  
BME Case No. 24-6109-1**

Dr. De Lee:

On March 7, 2025, the Nevada State Board of Medical Examiners (Board) accepted the Settlement Agreement (Agreement) between you and the Board's Investigative Committee in relation to the formal Complaint filed against you, Case No. 24-6109-1.

In accordance with its acceptance of the Agreement, the Board entered an Order finding you violated three (3) counts of NRS 630.301(4), Malpractice, and three (3) counts of NRS 630.3062(1)(a), Failure to Maintain Complete Medical Records. For this, you shall be publicly reprimanded, and your license to practice medicine shall be surrendered in accordance with NAC 630.240 and you are not to apply for licensure with the State of Nevada within two (2) years after the date of the Board's acceptance of the Agreement, filed March 7, 2025. Additionally, you shall pay the Board's fees and costs incurred in the investigation and prosecution of this matter.

The Board formally and publicly reprimands you for your conduct which has brought professional disrespect upon you, and which reflects unfavorably upon the medical profession as a whole.

Sincerely,

Nick M. Spirtos, M.D., F.A.C.O.G., President  
Nevada State Board of Medical Examiners

March 17, 2025

Scott Thomas Gabriel, M.D.  
c/o Sean M. Kelly, Esq.  
McBride Hall  
8329 W. Sunset Road, Suite 260  
Las Vegas, NV 89113

**Re: In the Matter of Charges and Complaint  
Against Scott Thomas Gabriel, M.D.  
BME Case No. 24-30804-1**

Dr. Gabriel:

On March 7, 2025, the Nevada State Board of Medical Examiners (Board) accepted the Settlement Agreement (Agreement) between you and the Board's Investigative Committee in relation to the formal Complaint filed against you, Case No. 24-30804-1.

In accordance with its acceptance of the Agreement, the Board entered an Order finding you violated one (1) count of NRS 630.3062(1)(a), Failure to Maintain Proper Medical Records. For this, you shall be publicly reprimanded, and you shall pay a fine in the amount of three thousand dollars (\$3,000) as well as the Board's fees and costs incurred in the investigation and prosecution of this matter. Further, you shall take six (6) hours of continuing medical education (CME), as outlined in the Agreement filed March 7, 2025, in addition to any regular CME hours imposed upon you as a condition of licensure in the State of Nevada.

The Board formally and publicly reprimands you for your conduct which has brought professional disrespect upon you, and which reflects unfavorably upon the medical profession as a whole.

Sincerely,

Nick M. Spirtos, M.D., F.A.C.O.G., President  
Nevada State Board of Medical Examiners

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March 17, 2025

Samir Hadi, M.D.  
c/o Sean M. Kelly, Esq.  
McBride Hall  
8329 W. Sunset Road, Suite 260  
Las Vegas, NV 89113

**Re: In the Matter of Charges and Complaint  
Against Samir Hadi, M.D.  
BME Case No. 24-49326-1**

Dr. Hadi:

On March 7, 2025, the Nevada State Board of Medical Examiners (Board) accepted the Settlement Agreement (Agreement) between you and the Board’s Investigative Committee in relation to the formal Complaint filed against you, Case No. 24-49326-1.

In accordance with its acceptance of the Agreement, the Board entered an Order finding you violated one (1) count of NRS 630.301(4), Malpractice. For this, you shall be publicly reprimanded, and you shall pay a fine in the amount of three thousand dollars (\$3,000) as well as the Board’s fees and costs incurred in the investigation and prosecution of this matter.

The Board formally and publicly reprimands you for your conduct which has brought professional disrespect upon you, and which reflects unfavorably upon the medical profession as a whole.

Sincerely,

Nick M. Spirtos, M.D., F.A.C.O.G., President  
Nevada State Board of Medical Examiners

March 17, 2025

David Michael Ross, M.D.  
c/o Alexander J. Smith, Esq.  
Lewis Brisbois Bisgaard & Smith  
6385 S. Rainbow Blvd., Suite 600  
Las Vegas, NV 89118

**Re: In the Matter of Charges and Complaint  
Against David Michael Ross, M.D.  
BME Case No. 24-8629-1**

Dr. Ross:

On March 7, 2025, the Nevada State Board of Medical Examiners (Board) accepted the Settlement Agreement (Agreement) between you and the Board’s Investigative Committee in relation to the formal Complaint filed against you, Case No. 24-8629-1.

In accordance with its acceptance of the Agreement, the Board entered an Order finding you violated one (1) count of NRS 630.3062(1)(a), Failure to Maintain Complete Medical Records. For this, you shall be publicly reprimanded, and you shall pay a fine in the amount of two thousand dollars (\$2,000) as well as the Board’s fees and costs incurred in the investigation and prosecution of this matter. Further, you shall take five (5) hours of continuing medical education (CME), as outlined in the Agreement filed March 7, 2025, in addition to any regular CME hours imposed upon you as a condition of licensure in the State of Nevada.

The Board formally and publicly reprimands you for your conduct which has brought professional disrespect upon you, and which reflects unfavorably upon the medical profession as a whole.

Sincerely,

Nick M. Spirtos, M.D., F.A.C.O.G., President  
Nevada State Board of Medical Examiners

March 17, 2025

Kalyan Chakravarthy Tatineny, M.D.  
c/o Christina M. Alexander, Esq.  
Hutchison & Steffen  
10080 West Alta Drive, Suite 200  
Las Vegas, NV 89144

**Re: In the Matter of Charges and Complaint  
Against Kalyan Chakravarthy Tatineny, M.D.  
BME Case No. 24-40992-1**

Dr. Tatineny:

On March 7, 2025, the Nevada State Board of Medical Examiners (Board) accepted the Settlement Agreement (Agreement) between you and the Board’s Investigative Committee in relation to the formal Complaint filed against you, Case No. 24-40992-1.

In accordance with its acceptance of the Agreement, the Board entered an Order finding you violated one (1) count of NRS 630.301(4), Malpractice. For this, you shall be publicly reprimanded, and you shall pay a fine in the amount of two thousand five hundred dollars (\$2,500) as well as the Board’s fees and costs incurred in the investigation and prosecution of this matter. Further, you shall take four (4) hours of continuing medical education (CME), as outlined in the Agreement filed March 7, 2025, in addition to any regular CME hours imposed upon you as a condition of licensure in the State of Nevada.

The Board formally and publicly reprimands you for your conduct which has brought professional disrespect upon you, and which reflects unfavorably upon the medical profession as a whole.

Sincerely,

Nick M. Spirtos, M.D., F.A.C.O.G., President  
Nevada State Board of Medical Examiners

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