



Nevada State Board of Medical Examiners

October 2, 2006

Lorne J. Malkiewich, Esq.
Director
Legislative Counsel Bureau
401 S Carson Street
Carson City, NV 89710

Dear Mr. Malkiewich:

Pursuant to the provisions of NRS 622.100, please find enclosed press releases of the Nevada State Board of Medical Examiners with respect to action taken regarding licensees and applicants for licensure before the Board for the calendar quarter July 1, 2006 through September 30, 2006. These press releases are available on the Nevada State Board of Medical Examiners Website: www.medboard.nv.gov. The press releases summarize the actions taken.

Should you have any questions with respect to these matters, please feel free to contact me at your convenience.

Sincerely,

A handwritten signature in black ink that reads "Drennan A. Clark".

Drennan A. Clark, J.D.
Executive Director/Special Counsel

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enclosures



Nevada State Board of Medical Examiners

Press Release – September 13, 2006

NEVADA STATE BOARD OF MEDICAL EXAMINERS SUMMARILY SUSPENDS LICENSE OF A PHYSICIAN AT EMERGENCY MEETING

At an emergency Board meeting on September 12, 2006, the Nevada State Board of Medical Examiners summarily suspended the medical license of Las Vegas physician, Frieda Jean Fleischer, M.D.

A complaint was filed against Dr. Fleischer, charging her with a violation of NRS 630.306(1), due to inability to practice medicine with reasonable skill and safety because of a mental or physical condition.

The Board found that the continued practice of medicine by Dr. Fleischer in Nevada during the pendency of time necessary for a hearing on this complaint would endanger the health, safety and welfare of her patients.

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Nevada State Board of Medical Examiners

Press Release – September 19, 2006

NEVADA STATE BOARD OF MEDICAL EXAMINERS TAKES DISCIPLINARY ACTION AGAINST SIX PHYSICIANS

At its quarterly meeting on September 15 & 16, 2006, the Nevada State Board of Medical Examiners took disciplinary action against six licensed medical doctors:

Layfe Anthony, M.D.

The Nevada State Board of Medical Examiners accepted and approved the Stipulation for Settlement of its complaint against Layfe Anthony, M.D. Pursuant to the Settlement Agreement, the Board entered an order finding that Dr. Anthony failed to report to the Nevada Board the suspension of his medical privileges in Utah within 30 days, a violation of NRS 630.306(11), and that he renewed an application to practice medicine with an inaccurate or incomplete statement, a violation of NRS 630.304(1). The Board suspended Dr. Anthony's license to practice medicine in Nevada for 12 months, staying the suspension on the condition that Dr. Anthony remain in compliance with, and satisfactorily complete, his probationary period in Utah. If he returns to Nevada to practice medicine during the remainder of his probationary period in Utah, additional conditions, as enumerated in the Settlement Agreement, shall be imposed upon him until expiration of that probationary period. Dr. Anthony was also ordered to reimburse the Board's costs and expenses incurred in the investigation and prosecution of the case against him, payable within 60 days of acceptance, adoption and approval of the Settlement Agreement by the Board.

Amir Bacchus, M.D.

The Board accepted and approved the Stipulation for Settlement of its complaint against Amir Bacchus, M.D. Pursuant to the Settlement Agreement, the Board entered an order finding that Dr. Bacchus committed malpractice for failing to use the reasonable care, skill or knowledge ordinarily used under similar circumstances in providing care or treatment to a patient, a violation of NRS 630.301(4). The Board ordered that Dr. Bacchus attend 12 hours of continuing medical education, to be approved by the Chairman of the Board's Investigative Committee, within 1 year of the acceptance, adoption and approval of the Settlement Agreement by the Board, at

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Dr. Bacchus' own expense, and in addition to any other continuing medical education required as a condition of licensure. Dr. Bacchus was also ordered to reimburse the Board's costs and expenses incurred in the investigation and prosecution of the case against him, payable within 90 days of acceptance, adoption and approval of the Settlement Agreement by the Board.

Dolue Ezeanolue, M.D.

The Board found that Dolue Ezeanolue, M.D. committed malpractice for failing to use the reasonable care, skill or knowledge ordinarily used under similar circumstances in providing care or treatment to a patient, a violation of NRS 630.301(4). The Board ordered that Dr. Ezeanolue receive a public letter of reprimand and that he reimburse the Board's costs and expenses incurred in the investigation and prosecution of the case against him, payable within 90 days of the date of the Board's order.

Elliott Schmerler, M.D.

The Board found Elliott Schmerler, M.D. committed malpractice for failing to use the reasonable care, skill or knowledge ordinarily used under similar circumstances in providing care or treatment to a patient, in violation of NRS 630.301(4). The Board ordered that Dr. Schmerler receive a public letter of reprimand and that he reimburse the Board's costs and expenses incurred in the investigation and prosecution of the case against him.

Ross Tonkens, M.D.

The Board accepted and approved the Stipulation for Settlement of its complaint against Ross Tonkens, M.D. Pursuant to the Settlement Agreement, the Board entered an order finding that Dr. Tonkens prescribed a schedule II controlled substance to his wife on three non-emergency occasions, a violation of NRS 630.306(3). The Board ordered that Dr. Tonkens receive a public letter of reprimand and that he reimburse the Board's costs and expenses incurred in the investigation and prosecution of the case against him, payable within 60 days of acceptance, adoption and approval of the Settlement Agreement by the Board.

Robert Watson, M.D.

The Board found that Robert Watson, M.D. committed malpractice for failing to use the reasonable care, skill or knowledge ordinarily used under similar circumstances in providing care or treatment to a patient, a violation of NRS 630.301(4). The Board ordered that Dr. Watson be placed on probation for 6 months, that he receive a public letter of reprimand, that he be required to personally attend continuing medical education courses on the subjects of medical record-keeping and ethics, for a minimum total of 12 credits, within 1 year of the date of the Board's order, at his own expense and in addition to any other continuing medical education required as a condition of licensure. Dr. Watson was also ordered to reimburse the Board's costs and expenses incurred in the investigation and prosecution of the case against him.

Disciplinary action against these physicians is reported to all other states in which they may be licensed and to the National Practitioner Data Bank and Federation of State Medical Boards of the United States.

At its quarterly meeting on September 15 & 16, 2006, the Board ratified licensure of 267 physicians, 9 physician assistants and 57 practitioners of respiratory care, and requested personal appearances of 13 applicants for licensure – 12 physicians and 1 respiratory therapist.

Of the 13 applicants who were requested to personally appear, the respiratory therapist and 1 physician withdrew their applications for licensure during their appearances. The Board granted licenses to 10 physicians, 1 with no conditions or restrictions, 2 by endorsement, 4 subject to passing a peer review, and 3 subject to other conditions. The Board declined to exercise its statutory discretion to grant licensure by endorsement to 1 physician.

From January 1, 2006 to September 18, 2006, the Board has licensed 428 physicians administratively, that is, applicants who met all of the statutory and regulatory requirements for licensure. This includes 41 physicians who were issued special purpose licenses, 100 who were issued limited licenses as residents, and 2 who were issued restricted licenses, but does not include the applicants who appeared before the Board at the September meeting.
