

BEFORE THE BOARD OF MEDICAL EXAMINERS OF THE STATE OF NEVADA

In The Matter of Charges and Complaint Against RICHARD R. HORTON, M.D., Respondent.

Case No. 11-12102-1

FILED

JUN - 7 2011

NEVADA STATE BOARD OF MEDICAL EXAMINERS

By:

COMPLAINT

The Investigative Committee of the Nevada State Board of Medical Examiners (Board), composed of Charles N. Held, M.D., Theodore B. Berndt, M.D. and Valerie J. Clark, BSN, RHU, LUTCF, by and through Edward O. Cousineau, J.D., Deputy Executive Director for the Board and counsel for the Investigative Committee, having a reasonable basis to believe that Richard R. Horton, M.D., hereinafter referred to as "Respondent", has engaged in conduct that is grounds for discipline pursuant to the provisions of NRS Chapter 630, hereby alleges, charges and complains against said Respondent as follows:

1. Respondent was licensed in active status to practice medicine in the state of Nevada on February 23, 1998 by the Board pursuant to the provisions of Chapter 630 of the Nevada Revised Statutes, and at all times addressed herein was so licensed.

2. Respondent indicated specialty with the Board is Psychiatry with his practice address located in Las Vegas.

3. The true identity of Patient A, who is the subject of the underlying allegations, is not disclosed herein to protect his privacy, but is disclosed in the Patient Designation served on Respondent along with a copy of this Complaint.

4. From approximately May of 2005 to September of 2007, Patient A was prescribed various types of controlled substances by Respondent. During this timeframe, Respondent

1 prescribed these controlled substances without creating or maintaining any medical
2 documentation to support his prescribing practices for Patient A.

3 **COUNT I**

4 5. All of the above paragraphs are incorporated by reference as though fully set forth
5 herein.

6 6. Section 630.3062(1) of the Nevada Revised Statutes (NRS) provides that failure to
7 maintain timely, legible, accurate and complete medical records relating to the diagnosis,
8 treatment and care of a patient, is grounds for initiating disciplinary action.

9 7. Respondent violated NRS 630.3062(1) when he failed to maintain medical records
10 related to Patient A and is subject to discipline by the Nevada State Board of Medical Examiners as
11 provided in NRS 630.352.

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

13 1. That the Nevada State Board of Medical Examiners fix a time and place for a formal
14 hearing;


15 2. That the Nevada State Board of Medical Examiners gives Respondent notice of the
16 charges herein against him, the time and place set for the hearing, and the possible sanctions against
17 him;

18 3. That the Board determine what sanctions it deems appropriate to impose for the
19 violation committed by Respondent; and

20 4. That the Board make, issue and serve on Respondent its findings of facts,
21 conclusions of law and order, in writing, that includes the sanctions imposed.

22 DATED this 7th day of June, 2011.

23 INVESTIGATIVE COMMITTEE OF
24 THE NEVADA STATE BOARD OF MEDICAL EXAMINERS

25 By: 
26 _____
27 Edward O. Cousineau, J.D.
28 Attorney for the Investigative Committee of
The Nevada State Board of Medical Examiners

VERIFICATION

1
2 STATE OF NEVADA)
3 COUNTY OF DOUGLAS) : ss.

4
5 CHARLES N. HELD, M.D., having been duly sworn, hereby deposes and states under
6 penalty of perjury that he is the Chairman of the Investigative Committee of the Nevada State Board
7 of Medical Examiners that investigated the complaint against Respondent herein; that he has read
8 the foregoing Complaint; and that based upon the results of the Investigative Committee's
9 investigation into a complaint against Respondent, the allegations and charges in the foregoing
10 Complaint against Respondent are true, accurate and correct.

11 Dated this 7th day of June, 2011.

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13 
14 _____
15 CHARLES N. HELD, M.D.


OFFICE OF THE GENERAL COUNSEL
Nevada State Board of Medical Examiners
1105 Terminal Way #301
Reno, Nevada 89502
(775) 688-2559

CERTIFICATE OF MAILING

I hereby certify that I am employed by Nevada State Board of Medical Examiners and that on 7th day of June 2011, I served a file copy of the COMPLAINT, PATIENT DESIGNATION, ORIGINAL SETTLEMENT AGREEMENT, & Fingerprint Information by mailing via USPS certified return receipt mail to the following:

Stephen K. Lewis, Esq.
Patti, Sgro & Lewis
720 S. 7th Street, Ste. 300
Las Vegas, NV 89101

Dated this 7th day of June 2011.



Angelia L. Donohoe
Legal Assistant

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