

NEVADA STATE BOARD OF PHARMACY

431 W Plumb Lane ~ Reno, NV 89509 ~ (775) 850-1440

APPLICATION FOR PHYSICIAN'S ASSISTANT • PRESCRIBE

REGISTRATION FEE: \$80.00 (non-refundable money order or cashier's check only, no cash)

First: DOUGLAS Middle: STEWART Last: LYNCH

Home Address: 1808 CROWNHAVEN CT

City: LAS VEGAS State: NV Zip Code: 89108

SS#: 1 Date of Birth: _____ Sex: M or F

Telephone: _____ E-mail address: _____

PRACTICING LOCATION

Practice Name (if any): WILLIAM S. MUIR MD SPINE SURGERY

Physical Address: 653 N. TOWN CENTER DRIVE SUITE 210 Suite #: 210

City: LAS VEGAS State: NV Zip Code: 89144

Telephone: (702) 254-3020 Fax: (702) 255-2020

Medical/Osteopathic Board PA #: 1486 Issued: 12/30/2013 Expires: 6/30/2017

SUPERVISING PHYSICIAN – Please Print

Supervising Physician: WILLIAM S. MUIR Degree: M.D.
(Please print)

Physical Address: 653 N. TOWN CENTER DR. Suite #: 210

City: LAS VEGAS State: NV Zip Code: 89144

		Yes	No
<p>Been diagnosed or treated for any mental illness, including alcohol or substance abuse, or Physical condition that would impair your ability to perform the essential functions of your license?..... <input checked="" type="checkbox"/> <input type="checkbox"/></p>			
1.	Been charged, arrested or convicted of a felony or misdemeanor in <u>any</u> state?.....	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2.	Been the subject of an administrative action whether completed or pending in <u>any</u> state?.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3.	Had your license subjected to any discipline for violation of pharmacy or drug laws in <u>any</u> state?.....	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>If you marked YES to any of the numbered questions (1-3) above, include the following information & provide documentation:</p>			
Board Administrative Action:	State: <u>NV</u> Date: <u>03/19/2015</u>	Case #:	<u>15-41732-1</u>
Criminal Action:	State: <u>/ /</u> Date: _____	Case #:	County: _____ Court: _____

I hereby certify, under penalty of perjury, that the information furnished on this application is true, accurate and correct.

Original Signature of APN, no copies or stamps accepted [Signature]

Nov. 13, 2015
Date

Original Signature of Supervising Physician, no copies or stamps accepted [Signature]

Nov. 13, 2015
Date

<input checked="" type="checkbox"/> Board Use Only Received <u>11-24-15</u>	Amount <u>\$80.00</u>	Entity: <u>91062</u>
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NEVADA STATE BOARD OF MEDICAL EXAMINERS

[Search](#)

Licensee Details

<p>Person Information</p> <p>Name: Douglas Stewart LYNCH</p> <p>Address: 1808 Crownhaven Ct Las Vegas NV 89108</p> <p>Phone:</p>	<p>License Information</p> <p>License Type: Physician Assistant</p> <p>License Number: PA1486 Status: Active-Probation</p> <p>Issue Date: 12/30/2013 Expiration Date: 6/30/2017</p>
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Scope of Practice

Scope of Practice: Physician Assistant
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Education & Training

<p>School: Lincoln High School / Lincoln , NE High</p> <p>Degree\Certificate: School Diploma</p> <p>Date Enrolled:</p> <p>Date Graduated: 5/25/1991</p> <p>Scope of Practice:</p>
<p>School: University of Nebraska / Lincoln , NE Bachelor</p> <p>Degree\Certificate: of Science</p> <p>Date Enrolled:</p> <p>Date Graduated: 8/17/1996</p> <p>Scope of Practice:</p>
<p>School: Touro University / Las Vegas , NV</p> <p>Degree\Certificate: Masters</p> <p>Date Enrolled:</p> <p>Date Graduated: 11/8/2013</p> <p>Scope of Practice: Physician Assistant</p>
<p>School: Touro University / Las Vegas , NV Physician</p> <p>Degree\Certificate: Assistant Degree</p> <p>Date Enrolled: 7/6/2010</p> <p>Date Graduated: 11/8/2013</p> <p>Scope of Practice: Physician Assistant</p>

CURRENT EMPLOYMENT STATUS / CONDITIONS/RESTRICTIONS ON LICENSE AND MALPRACTICE INFORMATION

CONDITIONS ON LICENSE PA1486 Settlement Agreement approved by the Board September 11, 2015. Douglas Lynch, PA shall remain enrolled in a drug treatment program for five years. Mr. Lynch is currently enrolled in the PRN program. .

Board Actions

AGREEMENT Case No. 15-41732-1 September 11, 2015 The Nevada State Board of Medical Examiners (Board) accepted a Settlement Agreement (Agreement) with Douglas Lynch, PA-C (Respondent) finding one violation of Nevada Revised Statute 630.306(1). According to the Agreement, the Board lifted the summary suspension of Respondent's license; the Board has changed Respondent's license status to Active-Probation; Respondent shall remain enrolled in a drug treatment program for five years and comply with the providers' recommendations; the Board shall issue a public reprimand; complete eight hours of continuing medical education; Respondent shall pay the Board the fees and costs and reimburse the Board any further costs and fees incurred in monitoring compliance with the settlement agreement; and the terms of settlement shall be reported. -ame Settlement 9 pages

FORMAL COMPLAINT Case # 15-41732-1 May 6, 2015 The Investigative Committee (IC) of the Nevada State Board of Medical Examiners (Board) filed a formal complaint against Douglas Lynch, PA-C, alleging two violations of Nevada Revised Statutes (NRS) chapter 630 section 306(1), which authorizes the Board to take disciplinary action when it finds the licensee is unable to practice medicine with reasonable skill and safety because of the use of drugs, and section 306(2), which authorizes the Board to take disciplinary action when it finds a licensee has been engaging in conduct that the Board has determined is a violation of the standards of practice established by regulation. A person who is licensed as a physician assistant is prohibited from rendering professional services to a patient while in any impaired mental or physical condition. Nevada Administrative Code 630.230(1)(c). -ame
 Complaint: 6 pages

SUMMARY SUSPENSION Case # 15-41732-1 March 19, 2015 The Investigative Committee of the Nevada State Board of Medical Examiners summarily suspended Douglas Stewart Lynch, PA-C's license to practice medicine in the state of Nevada pursuant to Nevada Revised Statute section 630.326 (1) ae Order: 2 pages

Please note that the settlement of a medical malpractice action may occur for a variety of reasons that do not necessarily reflect negatively on the professional competence or conduct of the provider. Therefore, there may be no disciplinary action appearing for a licensee even though there is a closed malpractice claim on file. A payment in the settlement of medical malpractice does not create a presumption that medical malpractice occurred. Sometimes insurance companies settle a case without the knowledge and/or agreement of the physician. This database represents information from insurers to date. Please note: All insurers may not have submitted claim information to the Board.

Close Window

November 13, 2015
Douglas Lynch, PAC
Med lic. #PA1486
Pharm. Lic.
DEA

Statement of Disclosure—Explanation and Synopsis of Events.

During a period of sustained duress during PA school, I used an illicit substance for a short period of time. My relationship with my fiancé was not weathering the demands of school on top of a rift which was forming between us, and coupled to the stressors of school and a child on the way, I made a poor coping choice.

I came up positive on a UA for methamphetamine and was then suspended for 6 months and voluntarily entered into NPAP monitoring program run by Dr. Peter Mansky. I was in compliance with NPAP requirements for approximately 2.5 years.

Recently, after losing all balance in my life, working 110 hours a week for the better part of a year with a prolific orthopedic surgeon, I entered a period of depression and subsequently relapsed in Feb 2015.

In February of this year, I made a poor coping choice, to be sure. However, I don't drink, I don't smoke and I've never had interest in trying other drugs. **My use was during what little off time I had—never during or prior to any time of patient contact.** My use at that time in my life was as a coping mechanism, a means to not care about the turmoil in my personal life, which I could not resolve.

My license was suspended on March 19, 2015.

I voluntarily checked myself into Desert Hope, an AAC drug rehab facility here in Las Vegas, where I spent 2 months in in-patient and intensive out-patient rehab. This was undoubtedly one of the most beneficial events of my life. The insight and tools I picked up in rehab are priceless. These include healthy coping mechanisms to insight about the psychology and biology of substance abuse, to identifying and avoiding triggers and tools for preventing relapse. And now the ability to "run the tape to the end" after having endured what I expect to be my rock bottom.

I have maintained regular therapy sessions with a trauma therapist, Dr. Trudy Gilbert. I continue bi-weekly sessions with her. They have proven very effective and tremendously beneficial.

I am currently in compliance with an NSBME approved monitoring program called Professionals Recovery Network "PRN" directed by Larry Espadero at Montevista Hospital. This program includes random multiple UA toxicology screens per month mandatory caduceus meetings and requires attendance to outside NA/AA meetings as well. In addition, I am required to provide quarterly hair samples for toxicology testing.

I am active in Narcotics Anonymous, I work the steps of this 12-Step program and I work with an AA/NA sponsor who is a physician. I speak to my sponsor on a regular basis and he checks in on me. I have a few very close friends and colleagues with whom I see or speak to daily, without fail.

These individuals know me well, and are in effect a safety net, to monitor my mindset. Some are in the program, others are not.

After completing 2 months of treatment, two clear psych evals, continuing trauma therapy with Dr. Gilbert, full compliance with Larry Espadero's monitoring program (Professionals Recovery Network, "PRN") and everything else requested of me by the Nevada State Board of Medical Examiners, my medical license was re-activated on September 11, 2015, Active-Probation status. There are no restrictions imposed on my medical license.

NSBME required me to do 8 hours of CME courses on Substance Abuse. I have completed 43 hours of CME courses on or relating to the topic of Substance Abuse. Beyond this, I have spent the majority of my time in recent months completing CME courses and studying medicine beyond the scope of my specialty, with the intention of working in a less labor-intensive area or with a physician who has an appreciation for balance in life.

I have implemented these changes and safety nets to make every effort to avoid ever being in this position again. Had I fully anticipated the cascade of devastation which precipitated as a consequence of my actions, I would never have resorted to such a poor coping choice. I have successfully and whole-hearted embraced and completed everything prescribed in the course of my rehabilitation, above and beyond the call of duty in every aspect. I am not only in compliance with all monitoring requirements, but I am in acceptance with them as well.

The consequences of my relapse have been devastating beyond what I could have imagined, yet they are the consequences of my own actions. The Nevada State Board of Medical Examiners has deemed me fit to practice medicine. The Clark County Nevada Family Court has deemed me well-rehabilitated and has returned my daughter to me.

I am happy to submit any additional documentation or provide detailed explanation of anything I may have left unaddressed.

Sincerely,

Doug Lynch

Douglas Lynch, PAC

Work Address:
William Muir, MD Spine Surgery
653 N. Town Center, Suite #210
Las Vegas, NV 89144
Phone: 702.254.3020
Fax: 702.255.2620

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

3 * * * * *

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

Case No. 15-41732-1

7
8 **Douglas Stewart Lynch, PA-C,**
9 **License No. PA1486,**

FILED

MAR 19 2015

**NEVADA STATE BOARD OF
MEDICAL EXAMINERS**

By: 

10 **Respondent.**

11
12 **ORDER OF SUMMARY SUSPENSION & NOTICE OF HEARING**

13 The Investigative Committee¹ ("IC") of the Nevada State Board of Medical Examiners
14 ("Board") hereby **IMMEDIATELY SUMMARILY SUSPENDS** the license of
15 Douglas Stewart Lynch ("Respondent"), licensed as certified physician assistant ("PA-C") under
16 license number PA1486, from the practice of medicine, pursuant to the Board's authority to regulate
17 the practice of medicine in Nevada. Nev. Rev. Stat. ch. 630. The IC issues this Order of Summary
18 Suspension ("Order") based on its preliminary determination from the Investigative Findings that
19 Respondent's acts put the health, safety or welfare of the public at risk of imminent harm. Nev.
20 Rev. Stat. § 630.326.1. Prior to the preparation of this Order, Board staff presented the following
21 Investigative Findings to the IC of the Board.

22 **A. Investigative Findings**

23 1. Respondent is a certified physician assistant licensed to practice in Nevada. He was
24 originally licensed by the Board on or about December 30, 2013. Prior to being licensed, Respondent
25 notified the Board that he had voluntarily entered into a five-year contract with Dr. Peter Mansky and
26 Nevada Professionals Assistance Program ("NPAP") in February 2013 due to prior illicit drug use.

27 2. Currently, Respondent has supervisory appointments with three separate Nevada-

28 ¹ The Investigative Committee ("IC") of the Nevada State Board of Medical Directors ("Board") is composed of Board members Theodore B. Berndt, M.D., Chairman, Valerie J. Clark, BSN, RHU, LUTCF, Member, and Michael J.

Vista Orthopedics

April 9, 2015

Erin Albright
Board of Medical Examiners

Wesley Johnson, M.D.

General orthopedics
Spinal surgery
Total joint reconstruction
Sports medicine
Fracture care
Pediatric orthopedics

RE: DOUG LYNCH, P.A.

To Whom It May Concern:

It has come to my attention that one of my fellow practitioners has come across some hard times and is under review. I am certainly distressed to hear that Doug has failed a drug test and, in the grander scope of things, has relapsed in his ongoing efforts to eliminate drugs from his life. I was aware that Doug had a problem years ago and was currently being monitored. When I initially met Doug I had been clued in that he had had a situational depression in his life with a horrific divorce and separation from a child that he cared a great deal for. In the end, we are all responsible for our acts. After speaking with Doug, he clearly takes responsibility.

Circumstances being what they are for him, it was apparent he was put in a position where he could not cope. I do not think there is one of us who would care to be honest and say that they have never had a moment in their life when their daily lives were not compromised by something that had happened to them emotionally. I certainly wished Doug had told me about his desperation. I would have done anything to help. I am sure you have heard all this before. The reason I am writing this letter is to let you know what kind of a man he was around me in the management of my patients.

Over the past couple of years or however long it has been that I have worked with Doug, he has been an exemplary physician's assistant and I have had three that I self employed in Arizona while I practiced as an orthopedic surgeon. Doug, by far, has more

April 9, 2015

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intuitive skills, more surgical skills, and more consistency, professionalism than anybody I have worked with. Were you to ask any nurse, any O.R. personnel, or physician that worked with Doug you will find nothing but exemplary remarks without exception. At no time did I ever work with him did he show signs of being confused, disoriented, or less than sharp. The conversations that Doug and I would have were oftentimes philosophical conversations that were well above the median as far as professional conversation and cognitive thought. I worked with Doug at 6:00 in the morning and 10:00 at night. There was not one time that I ever saw him looking anything less than on the mark, fresh and pressed, so to speak, with a smile on his face. In off-work settings where I had times to speak with him, most of our conversations revolved around his daughter, the struggles he was having trying to work through things with his wife who was very difficult, and the onerous work hours that he was keeping while working with one of my colleagues and friend, Dr. Mark Kabins.

Mark has a work ethic that I have never seen in a physician in my career. I have been around a few. I have worked at some of the biggest institutions in the United States and I have been around guys that worked incredibly long hours. One fellow that I remember specifically and a national figure in Orthopedics would start at 7:30 in the morning and sometimes finish at 3:00 in the morning, two days a week operating, plus clinic obligations. I thought it was ridiculous. I still think it is ridiculous. Mark Kabins goes beyond that. I would say that Mark puts in more hours than I have ever seen a physician in my career. The hours stretch sometimes until 3:00 or 4:00 in the morning after starting early in the morning and, without sounding malicious, the world revolves around Mark and Doug had to be there. The number of days a week that Doug would potentially be working would be six or seven. He would be available working with me at 6:30 in the morning Monday morning, finish at 7:00 or 8:00 at night, have some rounds to take care of at other hospitals, and the following day be there for Mark at 7:00 or 6:30 in the morning and then work sometimes until 12:00, 1:00, or 2:00 in the morning and repeat a clinic day on Wednesday with Mark, long hours, sometimes up to 9:00 or 10:00 at night followed by the next day of surgery with surgeries

April 9, 2015

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that, once again, would last well into the early hours in the morning, followed by a Friday schedule that oftentimes involved late hours and irregular surgeries past 9:00 or 10:00. The weekend almost always involved surgical care on Saturdays and sometimes went into the evening hours and Sundays similarly. It is almost impossible to believe that one surgeon could do this much work, but Mark can. I do not know how he does it, but he is an exemplary surgeon with boundless energy and Mark expected similar levels of commitment from Doug. Doug worked tirelessly and on the weekends he tried to see his daughter, which broke his heart. It was so hard for Doug to try to make all that happen and have this job with the demands it was placing on him and it just stretched him too thin. The man that has undergone a divorce that was nasty, a beautiful daughter that he was trying to have a relationship with, and a boss that simply worked him more than 90 hours a week, my guess, on a regular basis, was more than even Doug could tolerate. I told him many times that he was working too hard and he tried to change that with Dr. Kabins, but for some reason or another they did not really see eye to eye on this and I do not know really what came of it all, but I do know that the demands on Doug were far beyond what any human could tolerate. I would not offer this discussion as a measure of excuse, only so that you might understand why he failed.

Doug is not a drug addict in my mind. He may have had a situation where he looked for a way out. A lot of guys do that. There are more people that use prescription narcotics, doctors that drink huge amounts of alcohol every night, and then the ethical things that we cannot even touch on with regards to people that just flat do not care about patients and treat them like cattle or less. The situation is simply more than Doug could bear. I am not sure I would have done any better in the same circumstance. I would have quit. I was in the process of helping Doug find another job when all of this fell apart because I could see that there was too much stress on him. In some ways, I wish that I had somehow forced Doug to quit his job to relieve that burden.

April 9, 2015

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What I am asking you to do is recognize that Doug really did not get a second chance. He was simply beaten to the point where he could not find another solution. He does not like drugs. He does not want drugs. He just needed to find a safe place where he did not hurt.

Now, however you want to put that together, I guess that much of the adults that I know in this world have been there at some point in their life. Doug is far too valuable to waste as a practitioner and some of the responsibility for this failure has to fall on the shoulders of some of around him that may have pushed him too hard. There are reasons why the residents who perform extraordinary amounts of time and effort in training have a work week limitation at 80 hours. We recognize that it is inhumane, that it causes them to suffer in their judgment. National standards have been created to ensure that that does not occur. In this setting, if you will, where Doug was actually working as a "intern" if you will his first year as a P.A., working for a busy doctor, the situation is not so different. The only difference was he did not work 80 hours; he worked 90 to 100. It was not just time on call. It was hard time working. Once again, I have never been asked to work that hard in my entire medical career through five years of residency and a year of fellowship. I am surprised he lasted that long.

I hope that you can understand why I am writing this letter, as there is more to the story. I hope you can find another way for this man to keep his job, as I find providers like him that truly care about people, who truly work for the joy of taking care of other humans, could somehow be salvaged and maybe through some counseling, not necessarily drug treatment programs, but through counseling for his personal issues, which have gone largely unmanaged, that Doug could be happy again.

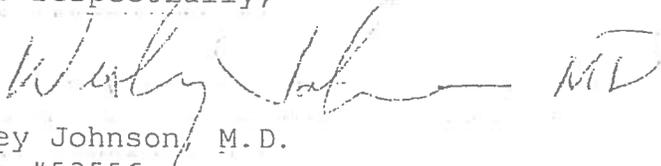
I lost my best friend to a self-inflicted gunshot to the head about five years ago. Doug found another way and I am happy for that, although the venue was a poor choice. Please find a way to save my partner in Orthopedics and do not remove his dreams. I would encourage that you take the time to look at this problem and, if need be, have a psychologist review the stress that Doug

April 9, 2015

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has been under and help him. It is certainly easier to tear something down than it is to build something up, but he is worth it, I promise you.

Yours respectfully,

A handwritten signature in cursive script, appearing to read "Wesley Johnson M.D.", with a horizontal line extending from the end of the signature.

Wesley Johnson, M.D.

WJ:ja #53556

cc: Don Andreas
Kenneth Scheuber

BEFORE THE BOARD OF MEDICAL EXAMINERS
OF THE STATE OF NEVADA

In the Matter of Charges and
Complaint Against
Douglas Stewart Lynch, PA-C,
Respondent.

Case No. 15-41732-1

FILED

APR 28 2015

NEVADA STATE BOARD OF
MEDICAL EXAMINERS

By: _____

STIPULATION & ORDER TO CONTINUE HEARING

On March 19, 2015, the Investigative Committee¹ (IC) of the Nevada State Board of Medical Examiners (Board) issued an Order of Summary Suspension & Notice of Hearing (Order) against Douglas Stewart Lynch (Respondent) (license no. PA1486), suspending Respondent from the practice of medicine. A hearing is scheduled for May 4, 2015, at 9:30 A.M.

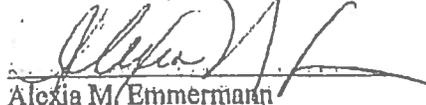
In Nevada, a hearing on orders of summary suspension must take place within 45 days after the date on which the Board issues the order unless the parties agree to a longer period. NRS 630.326(2). As authorized by Nevada law, the parties in this matter hereby agree and stipulate that the hearing in this matter be vacated and continued to give the parties an opportunity to resolve this matter without a hearing. The additional time is not sought for the purposes of delay, and justice is best served by continuing the hearing date. Respondent understands and agrees that his license shall remain in a suspended status for an indefinite period of time pending resolution of this matter.

DATED this 22 day of April, 2015.

24 April 2015



Douglas Stewart Lynch
Respondent



Alexia M. Emmertmann
Attorney for the Investigative Committee

ORDER

IT IS SO ORDERED.

DATED this 29th day of April, 2015.



Pat Dolan, Esq.
Hearing Officer

¹ The Investigative Committee of the Nevada State Board of Medical Directors was composed of Board members Theodore B. Berndt, M.D., Chairman, Valerie J. Clark, BSN, RHU, LUTCF, Member, and Michael J. Fischer, M.D., Member.

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

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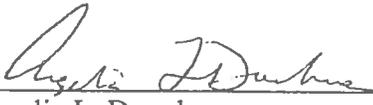
CERTIFICATE OF SERVICE

I hereby certify that I am employed by Nevada State Board of Medical Examiners and that on 29th day of April 2015; I served a filed copy of STIPULATION & ORDER TO CONTINUE HEARING, via USPS mail to the following:

Douglas Lynch, PA-C
1808 Crownhaven Ct.
Las Vegas, NV 89108

Pat Dolan, J.D., Hearing Officer
7980 Meadow Vista Ct.
Reno, NV 89511

Dated this 29th day of April, 2015.



Angelia L. Donohoe
Legal Assistant

treatment plan, monitoring program, and his overall recovery, including support groups, and individual therapy.

Respondent believes the foregoing Answer to the IC's Complaint to be true, accurate, and correct, and based on his personal knowledge, and signs below, under the Penalty of Perjury under the laws of the State of Nevada.

DATED this 3rd day of June, 2015.

By: 
Douglas Stewart Lynch, PA-C
Pro-Se Respondent.

CERTIFICATE OF SERVICE

I, Douglas Stewart Lynch, PA-C, and Respondent herein, hereby certify that on this 3rd day of June, 2015, that I mailed this answer/response, via USPS certified mail with return receipt, as specifically indicated below, to the following:

**Angelia L. Donohoe
Office of the General Counsel
Nevada State Board of Medical Examiners
1105 Terminal Way #301
Reno, NV 89502**

Via USPS Certified Mail

DATED this 3rd day of June, 2015.

By: 
Douglas Stewart Lynch, PA-C
Pro-Se Respondent.

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

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CERTIFICATE OF MAILING

I hereby certify that I am employed by Nevada State Board of Medical Examiners and th
on 9th day of June 2015; I served a file stamp copy of RESPONDENT'S ANSWER T
COMPLAINT, via USPS mail to the following:

Douglas Lynch, PA-C
1808 Crownhaven Ct.
Las Vegas, NV 89108

Pat Dolan, J.D., Hearing Officer
7980 Meadow Vista Court
Reno, NV 89511

Dated this 9th day of June, 2015.



Angelia L. Donohoe
Legal Assistant

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

3 * * * * *

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

Case No. 15-41732-1

6 **Complaint Against**

7 **Douglas Stewart Lynch, PA-C,**

8 **License No. PA 1486**

9 **Respondent.**
10

11 **ORDER FOR DRUG EVALUATION, DRUG TESTING**
12 **& PSYCHIATRIC EXAMINATION**

13 On March 19, 2015, the Investigative Committee¹ (IC) of the Nevada State Board of
14 Medical Examiners (Board) issued an order summarily suspending the license of Douglas Stewart
15 Lynch, PA-C (Respondent), and scheduling a hearing for May 4, 2015. On April 28, 2015, the
16 parties stipulated to a continuance to give the parties an opportunity to resolve this matter without a
17 hearing. As part of the stipulation, Respondent understood and agreed that his license would remain
18 in a suspended status for an indefinite period of time pending resolution of the matter. On May 6,
19 2015, the IC filed a formal Complaint (Complaint) in this matter as a result of Respondent's relapse
20 into illicit drug use. The IC is aware that Respondent entered an in-patient treatment program on
21 April 26, 2015, and was released to an intensive out-patient program after one week. Respondent is
22 currently in a daily intensive out-patient program with Desert Hope.

23 In Nevada, if an investigative committee has reason to believe that the conduct of a
24 physician assistant (PA) has raised a reasonable question as to his or her competence to practice as
25 a PA with reasonable skill and safety to patients, it may order an examination of the PA. Nevada
26 Administrative Code (NAC) 630.400(1). Based on the allegations in the Complaint, Respondent's

27 _____
28 ¹ The Investigative Committee of the Nevada State Board of Medical Examiners is composed of Board members
Theodore B. Berndt, M.D., Chairman, Valerie J. Clark, BSN, RHU, LUTCF, Member, and Michael J. Fischer, M.D.,
Member.

1 conduct has raised a reasonable question as to Respondent's competency to practice as a PA with
2 reasonable skill and safety to his patients. Accordingly, **IT IS HEREBY ORDERED** that
3 Respondent shall be examined as follows:

- 4 1. Respondent shall present for a psychiatric examination, as follows:

5 **Monday, June 8, 2015**

6 **10:00 AM**

7 **Dr. Lesley Dickson**

8 **2340 Paseo Del Prado D307**

9 **Las Vegas, NV 89102**

10 **702.222.1812**

11 If separate authorization or waiver is required, Respondent shall authorize or waive
12 confidentiality of the examination report so that the examination report can be shared
13 with the Board and Respondent's Board-ordered treatment provider.

- 14 2. Respondent shall present for a drug evaluation, as follows:

15 **Within thirty days of this Order**

16 **Montevista Hospital**

17 **Larry Espadero, LADC, Director, Chemical Dependence Program**

18 **5900 West Rochelle Avenue**

19 **Las Vegas, NV 89103**

20 **702.251.1377**

21 Respondent shall undergo a thorough drug evaluation to determine the extent of
22 Respondent's addiction and to determine the level of treatment Respondent requires.

- 23 3. Respondent shall present for periodic drug testing, including monthly observed drug
24 urine testing, quarterly drug hair testing, and random testing as determined appropriate
25 by Respondent's treating physician or counselor, or by the Board.

- 26 4. Respondent shall execute a release, which is compliant with the Health Insurance
27 Portability and Accountability Act (HIPAA), in favor of the Board to allow the results
28 of his drug evaluation, drug testing, and psychiatric examination to be shared directly
with the Board and IC, including prior evaluations, assessments, reports and records
held by treatment programs, counselors, or physicians.

The purpose of the examination, evaluation, and testing is to obtain a true assessment of
Respondent's overall competency to practice as a PA in Nevada. NAC 630.400(1). For this

1 purpose, the results of Respondent's examination, evaluation, and testing are not privileged
2 communications, and shall be reported to the IC and Board. NAC 630.400(3). Respondent is
3 responsible for all costs of the examination, evaluation, and testing. NAC 630.400(5).
4 Respondent's failure to submit to the examination, evaluation, and testing as directed will
5 constitute an admission of the charges against him, except in extraordinary circumstances, as
6 determined by the Board. NAC 630.400(4).

7 Pending the outcome of Respondent's examination, evaluation, and testing, Respondent is
8 **HEREBY ORDERED** to continue his daily intensive out-patient program and to provide the IC
9 with all relevant information with which the IC or Board can make further determinations in this
10 matter, as needed.²

11 Compliance with this Order is compulsory, and shall not be deemed to be cooperation
12 subject to the protections provided to persons in Nevada Revised Statute (NRS) 630.364(3).
13 Failure to comply with this Order is ground for the initiation of disciplinary action pursuant to
14 NRS 630.3065(2)(a).

15 Dated this 27th day of May, 2015.

16 

17 _____
18 Theodore B. Berndt, M.D.
19 Chairman, Investigative Committee
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27 _____
28 ² Respondent must sign all necessary and appropriate waivers or releases granting the Board or IC access to reports or results of any treatment programs in which he participates to ensure the Board has all of the relevant information regarding this matter. NAC 630.400(2)-(3).

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 **Douglas Stewart Lynch, PA-C,**
8 **Respondent.**

Case No. 15-41732-1

FILED

MAY - 6 2015

NEVADA STATE BOARD OF
MEDICAL EXAMINERS
By: 

10 **COMPLAINT**

11
12 The Investigative Committee¹ (IC) of the Nevada State Board of Medical Examiners (Board
13 hereby issues this formal Complaint (Complaint) against Douglas Stewart Lynch (Respondent),
14 licensed physician assistant in Nevada. After investigating this matter, the IC has a reasonable basi
15 to believe that Respondent has violated provisions of the Nevada Revised Statutes (NRS) chapte
16 630 and the Nevada Administrative Code (NAC) chapter 630 (collectively Medical Practice Act)

17 The IC alleges the following facts:

18 1. Respondent applied for a physician assistant license in Nevada. Responden
19 disclosed in his application that he had voluntarily entered into a five-year contract with Dr. Pete
20 Mansky and Nevada Professionals Assistance Program (NPAP) in February 2013 due to prior illici
21 drug use. On or about December 30, 2013, Respondent was granted a license (license no. PA1486).

22 2. Pursuant to its contract with Respondent, NPAP was authorized to notify the Board
23 of any issues that may affect Respondent's ability to safely practice medicine in Nevada.

24 3. On March 18, 2015, the Board received a notice from NPAP that NPAP could no
25 advocate that Respondent was safe to practice medicine because Respondent had tested positive fo
26 methamphetamine use on February 11, 2015, February 23, 2015, and March 12, 2015. According to

27 ¹ The Investigative Committee of the Nevada State Board of Medical Examiners is composed of Board member
28 Theodore B. Berndt, M.D., Chairman, Valerie J. Clark, BSN, RHU, LUTCF, Member, and Michael J. Fischer, M.D.
Member.

OFFICE OF THE GENERAL COUNSEL

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

1 the notice, NPAP believed that Respondent was still actively using methamphetamines due to
2 increasing levels of methamphetamines in Respondent's test results. Respondent was deactivated as
3 a participant in NPAP as of March 16, 2015, because Respondent failed to comply with a corrective
4 action plan and failed to respond to NPAP's inquiries.

5 4. On March 19, 2015, the IC issued an Order of Summary Suspension and Notice of
6 Hearing (Order) based on the IC's preliminary determination from its investigative findings that
7 Respondent's acts put the health, safety, or welfare of the public at risk of imminent harm. The
8 Board personally served Respondent with the Order on March 19, 2015. The Order required
9 Respondent to notify his current supervising physicians that his license has been suspended until
10 further order of the IC or Board. The Order also provided Respondent with notice that a hearing in
11 the matter was set for May 4, 2015, at 9:30 a.m.

12 5. On March 19, 2015, shortly after the Board personally served Respondent with the
13 Order, Respondent emailed the Board that Respondent had recently relapsed and was no longer
14 compliant with NPAP criteria. Respondent explained that he has initiated steps for necessary
15 treatment, as directed by NPAP, that he has notified hospitals and all of his privileges have been
16 suspended, and that he has been terminated from employment. Respondent indicated that he has no
17 patient contact at this time, and is not writing prescriptions. Respondent stated that he will complete
18 the treatment plan, as directed by NPAP. Respondent forwarded notices indicating that Respondent
19 and his supervising physicians terminated their supervising and/or collaborating agreement.

20 6. On April 8, 2015, the Board learned that Respondent was attending the Intensive
21 Outpatient (IOP) treatment. However, Respondent tested positive for methamphetamine use on
22 April 1, 2015.

23 7. On April 9, 2015, the Board was notified that Respondent again tested positive for
24 methamphetamine use on April 6, 2015. As a result, Respondent was discharged from the IOP
25 treatment with a recommendation that Respondent needs a higher level of care.

26 8. In April 2015, the Board received letters from Respondent's supervising physicians
27 speaking to Respondent's behavior and practice of medicine as a physician assistant.

28 9. The week of April 22, 2015, the parties stipulated to continuing the hearing to give

1 the parties an opportunity to resolve this matter without a hearing. Respondent understood an
2 agreed that his license would remain in a suspended status for an indefinite period pending
3 resolution of this matter.

4 10. On or about April 26, 2015, Respondent entered in-patient treatment for an unknown
5 period of time. Respondent would not be able to communicate with anyone outside of the in-patient
6 treatment facility until he was released from the program.

7 Based on the foregoing, the IC charges Respondent with the following violations of the
8 Medical Practice Act:

9 **Count I**

10 11. All of the allegations contained in the above paragraphs are hereby incorporated by
11 reference as though fully set forth herein.

12 12. The Board may initiate disciplinary action when it finds a licensee is unable to
13 practice medicine with reasonable skill and safety because of the use of drugs. NRS 630.306(1).

14 13. Based on the foregoing factual allegations, Respondent is unable to practice
15 medicine with reasonable skill and competency because he has tested positive for
16 methamphetamine use on five separate occasions. Further, the results of the drug testing suggest
17 that Respondent is still using methamphetamines due to increasing levels of methamphetamines in
18 Respondent's test results.

19 14. By reason of the foregoing, Respondent is subject to discipline by the Board as
20 provided in NAC 630.410.

21 **Count II**

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

24 16. The Board may initiate disciplinary action when it finds that a licensee has been
25 engaging in any conduct that the Board has determined is a violation of the standards of practice
26 established by regulation. NRS 630.306(2).

27 17. In Nevada, a person who is licensed as a physician assistant is prohibited from
28 rendering professional services to a patient while the physician assistant is in any impaired mental

1 or physical condition. NAC 630.230(1)(c).

2 18. Based on the foregoing factual allegations, the Board cannot permit Respondent
3 continue the practice of medicine until Respondent has shown that he no longer poses a threat
4 danger to the public.

5 19. By reason of the foregoing, Respondent is subject to discipline by the Board
6 provided in NAC 630.410.

7 **WHEREFORE**, the IC prays:

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

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

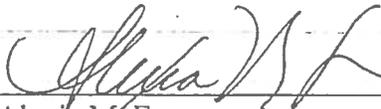
13 22. That the Board determine what sanctions to impose if it finds and concludes that
14 there has been a violation or violations of the Medical Practice Act committed by Respondent;

15 23. That the Board make, issue and serve on Respondent its findings of fact
16 conclusions of law and order, in writing, to include sanctions to be imposed; and

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

19 DATED this 6th day of May, 2015.

20 INVESTIGATIVE COMMITTEE OF THE
21 NEVADA STATE BOARD OF MEDICAL EXAMINERS

22 By: 
23 Alexia M. Emmermann
24 General Counsel
25 Attorney for the Investigative Committee
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27
28

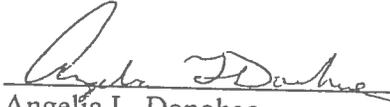
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CERTIFICATE OF SERVICE

I hereby certify that I am employed by Nevada State Board of Medical Examiners and that on 18th day of May 2015; I served a filed copy of COMPLAINT & FINGERPRINT INFORMATION, via USPS e-certified return receipt mail to the following:

Douglas Lynch, PA-C
1808 Crownhaven Ct.
Las Vegas, NV 89108

Dated this 18th day of May, 2015.



Angelia L. Donohoe
Legal Assistant

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

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

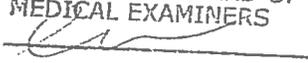
* * * * *

**In the Matter of Charges and
Complaint Against
DOUGLAS STEWART LYNCH, PA-C,
Respondent.**

Case No. 15-41732-1

FILED

SEP 11 2015

NEVADA STATE BOARD OF
MEDICAL EXAMINERS
By: 

SETTLEMENT AGREEMENT

The Investigative Committee¹ (IC) of the Nevada State Board of Medical Examiners (Board) and Douglas Stewart Lynch, PA-C (Respondent), a licensed physician assistant in Nevada, hereby enter into this Settlement Agreement (Agreement) based on the following:

A. Background

1. Respondent is a physician assistant licensed by the Board to practice medicine in Nevada since December 30, 2013 (license no. PA1486).

2. On March 19, 2015, the IC issued an Order of Summary Suspension in this matter based on its preliminary determination from investigative findings that Respondent was engaging in acts that put the health, safety, or welfare of the public at risk of imminent harm.

3. On April 28, 2015, the parties stipulated to continuing the scheduled hearing to allow the parties an opportunity to resolve this matter without a hearing. Respondent acknowledged that his license would remain in a suspended status for an indefinite period of time pending resolution of this matter.

4. On May 6, 2015, the IC filed the formal Complaint (Complaint) in this matter

¹ The Investigative Committee (IC) of the Nevada State Board of Medical Examiners (Board) was composed of Board members Theodore B. Berndt, M.D., Chairman, Valerie J. Clark, BSN, RHU, LUTCF, Member, and Michael J. Fischer, M.D., Member at the time the IC voted to file this Complaint. As of July 8, 2015, Ms. Clark is no longer a member of the IC or Board.

1 charging Respondent with violations of Nevada Revised Statutes (NRS) Chapter 630 and Nevada
2 Administrative Code (NAC) Chapter 630 (collectively Medical Practice Act). The Complaint
3 alleged that Respondent was unable to practice medicine with reasonable skill and safety because
4 of the use of drugs. NRS 630.306(1). The Complaint also alleged that Respondent violated the
5 Nevada standards of practice established by regulation because a Physician Assistant (PA) is
6 prohibited from rendering professional services to a patient while the PA is in any impaired
7 mental or physical condition. NAC 630.230(1)(c).

8 ~~5. Respondent was properly served with a copy of the Complaint, and has reviewed~~
9 ~~the Complaint, understands the Complaint, and has had the opportunity to consult with competent~~
10 ~~counsel concerning the nature and significance of the Complaint.~~

11 6. Respondent has been cooperative and has fully complied with every request and
12 order of the Board or IC. Respondent has attended in-patient treatment, out-patient treatment,
13 several IC-ordered evaluations, and has committed to continuing treatment as recommended by
14 various evaluations he has received.

15 7. Respondent is hereby advised of Respondent's rights regarding this administrative
16 matter, and of Respondent's opportunity to defend against the allegations in the Complaint.
17 Specifically, Respondent has certain rights in this administrative matter as set out by the United
18 States Constitution, the Nevada Constitution, the Medical Practice Act, and the Nevada
19 Administrative Procedure Act (APA) (NRS Chapter 233B). These rights include the right to a
20 formal hearing on the allegations in the Complaint, the right to representation by counsel, at
21 Respondent's own expense, in the preparation and presentation of Respondent's defense, the right
22 to confront and cross-examine the witnesses and evidence against Respondent, the right to written
23 findings of fact, conclusions of law, and order reflecting the final decision of the Board, and the
24 right to judicial review of the Board's order, if the decision is adverse to Respondent.

25 8. Respondent understands that, under the Board's charge to protect consumers by
26 regulating the practice of medicine, the Board may take disciplinary action against Respondent's
27 license, including license probation, license suspension, license revocation, and imposition of
28 administrative fines, as well as any other reasonable requirement or limitation, if the Board

1 concludes that Respondent violated one or more provisions of the Medical Practice Act.

2 9. Respondent understands and agrees that this Agreement, by and between Respondent
3 and the IC, is not with the Board, and that the IC will present this Agreement to the Board for
4 consideration in open session at a meeting duly noticed and scheduled. Respondent understands
5 that the IC shall advocate for the Board's approval of this Agreement, but that the Board has the
6 right to decide in its own discretion whether or not to approve this Agreement. Respondent further
7 understands and agrees that if the Board approves this Agreement, then the terms and conditions
8 enumerated below shall be binding and enforceable upon Respondent and the Board.

9 **B. Terms & Conditions**

10 **NOW, THEREFORE**, in order to resolve this matter, Respondent and the IC hereby
11 agree to the following terms and conditions:

12 1. **Jurisdiction.** Respondent is and, at all times relevant to the Complaint, has been a
13 physician assistant licensed to practice medicine in Nevada subject to the jurisdiction of the Board as
14 set out in the Medical Practice Act. The IC may initiate disciplinary action against a licensee when it
15 finds a licensee is unable to practice medicine with reasonable skill and safety because of the use of
16 drugs. NRS 630.306(1).

17 2. **Representation by Counsel/Knowing, Willing, and Intelligent Agreement.**
18 Respondent understands that he may retain and consult counsel prior to entering into this
19 Agreement at his own expense. Respondent acknowledges that he is not represented by counsel in
20 Nevada, and wishes to resolve this matter without counsel. Respondent agrees that, if counsel is
21 retained for representation in this matter prior to entering into this Agreement, counsel for the IC
22 will be informed of such representation prior to Respondent's executing this Agreement.

23 Respondent agrees that he enters into this Agreement knowingly, willingly, and intelligently.

24 3. **Waiver of Rights.** In connection with this Agreement, and the associated terms
25 and conditions, Respondent knowingly, willingly, and intelligently waives all rights in connection
26 with this administrative matter. Respondent hereby knowingly, willingly, and intelligently waives
27 all rights arising under the United States Constitution, the Nevada Constitution, the Medical
28 Practice Act, the APA, and any other legal rights that may be available to Respondent or that may

1 apply to Respondent in connection with the administrative proceedings resulting from the
2 Complaint filed in this matter, including defense of the Complaint, adjudication of the allegations
3 set forth in the Complaint, and imposition of any disciplinary actions or sanctions ordered by the
4 Board. Respondent agrees to settle and resolve the allegations of the Complaint as set out by this
5 Agreement without a hearing or any further proceedings, and without the right to judicial review.

6 4. **Acknowledgement of Reasonable Basis to Proceed.** Respondent acknowledges
7 that the IC has a reasonable basis to believe that Respondent engaged in conduct that is grounds
8 for discipline pursuant to the Medical Practice Act.

9 5. **Consent to Entry of Order.** In order to resolve this matter without incurring any
10 further costs or the expense associated with a hearing, Respondent hereby agrees that the Board may
11 issue an order finding that Respondent violated the Medical Practice Act when Respondent tested
12 positive for illicit drug use, as set forth in the Complaint, violating NRS 630.306(1). Accordingly,
13 Respondent hereby agrees that:

14 a. The summary suspension imposed upon Respondent's license to practice
15 medicine shall be lifted upon the Board's acceptance of this Agreement. Respondent's license
16 shall be reinstated to Active-Probation status;

17 b. In order to maintain licensure, Respondent shall remain enrolled in a drug
18 treatment program for five years. Respondent is currently enrolled in the PRN Program (Program)
19 directed by Larry Espadero. If the Program feels Respondent is ready to be released before the
20 five-year period, the Board's Compliance Officer shall be notified prior to Respondent's release
21 from the Program. At the conclusion of the Program, a final report shall be filed with the IC. The
22 IC may order Respondent to obtain a psychiatric examination and drug evaluation, at
23 Respondent's expense, to determine whether further monitoring by the Board is necessary. At
24 that time, if the IC concludes based on the results of the examination and evaluation that further
25 monitoring is necessary, the IC shall make a recommendation to the Board at the next scheduled
26 Board meeting, and this Agreement shall remain in effect until the Board makes a determination.
27 If no further examination or evaluation is ordered, Respondent's license shall revert to Active-
28 Unrestricted status.

1 In the event a change in the Program is necessary before the five-year
2 period concludes, Respondent shall work with the Board's Compliance Officer to identify
3 acceptable alternative programs to allow Respondent to continue treatment to maintain licensure,
4 which would then be presented to the IC for approval. The IC may then authorize a Program
5 change by order;

6 c. Respondent shall comply with his providers' recommendations, which shall
7 be monitored by the Board's Compliance Officer, to ensure continued success with his treatment.
8 If a provider's recommendation differs materially from this Agreement, Respondent shall notify
9 the Board's Compliance Officer to determine an acceptable course of action;

10 d. If not already completed, within 14 days of the Board's adoption and
11 approval of this Agreement, Respondent shall execute a release, which complies with the Health
12 Insurance Portability and Accountability Act (HIPAA), in favor of the Board allowing each and
13 every provider to directly provide the Board with status reports regarding Respondent's treatment;

14 e. The Board shall monitor Respondent for five years from the date of the
15 Board's order in this matter unless the Board makes a determination that further monitoring is
16 necessary. Monitoring shall include monthly urine and quarterly hair testing at Respondent's
17 expense. The IC may also periodically request Respondent submit to random drug testing at
18 Respondent's expense. Any test that is positive for illicit drugs shall be considered a violation of this
19 Agreement. Failure to comply with any drug testing request shall be deemed an automatic positive
20 test result.

21 If the IC orders Respondent to obtain a psychiatric examination and drug
22 evaluation at the conclusion of the five-year period, the Board's order requiring monitoring shall
23 remain in effect until the IC determines whether Respondent needs further monitoring. If the IC
24 concludes that Respondent needs further monitoring, the IC shall make a recommendation to the
25 Board at the next scheduled Board meeting;

26 f. The count in the Complaint against Respondent alleging a violation of NAC
27 630.230(1)(c) shall be dismissed;

28 g. The Board shall issue Respondent a public reprimand;

1 h. Within 12 months of the Board's order and at Respondent's expense,
2 Respondent shall complete eight hours of continuing medical education (CME), in addition to
3 Respondent's statutory CME requirements for licensure, on the following topic: substance abuse;

4 i. Within 90 days of the Board's order, Respondent shall pay the Board
5 \$1,839.69, the fees and costs incurred as part of the Board's investigative, administrative, and
6 disciplinary proceedings against Respondent;

7 j. Respondent shall reimburse the Board, within 30 days of notice by the Board,
8 for any reasonable costs and expenses further incurred by the Board in monitoring Respondent's
9 compliance with this Agreement; and

10 k. The terms of this Agreement shall be reported as required by law.

11 6. **Release From Liability.** In execution of this Agreement, Respondent understands
12 and agrees that the state of Nevada, the Board, and each of its members, staff, counsel,
13 investigators, experts, peer reviewers, committees, panels, hearing officers, consultants, and
14 agents are immune from civil liability for any decision or action taken in good faith in response to
15 information acquired by the Board. NRS 630.364(2). Respondent agrees to release the state of
16 Nevada, the Board, and each of its members, staff, counsel, investigators, experts, peer reviewers,
17 committees, panels, hearing officers, consultants, and agents from any and all manner of actions,
18 causes of action, suits, debts, judgments, executions, claims and demands whatsoever, known and
19 unknown, in law or equity, that Respondent ever had, now has, may have or claim to have, against
20 any or all of the persons, government agencies, or entities named in this paragraph arising out of,
21 or by reason of, this investigation, this Agreement, or the administration of this case.

22 7. **Procedure for Adoption of Agreement.** The IC and counsel for the IC shall
23 recommend acceptance, approval, and adoption of the terms and conditions of this Agreement by
24 the Board in resolution of the Complaint pending against Respondent. In the course of seeking
25 Board acceptance, approval, and adoption of this Agreement, counsel for the IC may
26 communicate directly with the Board staff and the adjudicating members of the Board.

27 Respondent acknowledges that such contacts and communication may be made or
28 conducted ex parte, without notice or opportunity to be heard on Respondent's part until the

1 public Board meeting where this Agreement is discussed, and that such contacts and
2 communications may include, but not be limited to, matters concerning this Agreement, the
3 Complaint, and any and all information of every nature whatsoever related to this matter. The IC
4 agrees that Respondent may appear at the Board meeting where this Agreement is discussed and,
5 if requested, respond to any questions related to this matter.

6 **8. Effect of Acceptance of Agreement by Board.** In the event the Board accepts,
7 approves, and adopts this Agreement, the Board shall issue an order, making this Agreement an
8 order of the Board.

9 **9. Effect of Rejection of Agreement by Board.** In the event the Board does not
10 accept, approve, and adopt this Agreement, this Agreement shall be null, void, and of no force and
11 effect except as to the following agreement regarding adjudications: (1) Respondent agrees that,
12 notwithstanding rejection of this Agreement by the Board, nothing contained in this Agreement
13 and nothing that occurs pursuant to efforts of the IC to seek the Board's acceptance of this
14 Agreement shall disqualify any member of the adjudicating panel of the Board from considering
15 the allegations in the Complaint and from participating in disciplinary proceedings against
16 Respondent, including adjudication of the case; and (2) Respondent further agrees that
17 Respondent shall not seek to disqualify any such member absent evidence of bad faith.

18 **10. Binding Effect.** If approved by the Board, Respondent understands that this
19 Agreement is a binding and enforceable contract upon Respondent and the Board.

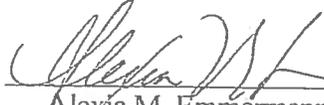
20 **11. Forum Selection Clause.** Respondent agrees that in the event either party is
21 required to seek enforcement of this Agreement in district court, Respondent consents to such
22 jurisdiction, and agrees that exclusive jurisdiction shall be in the Second Judicial District Court,
23 State of Nevada, Washoe County.

24 **12. Attorneys' Fees and Costs.** Respondent agrees that in the event an action is
25 commenced in district court to enforce any provision of this Agreement, the prevailing party shall
26 be entitled to recover reasonable attorneys' fees and costs. NRS 622.400.

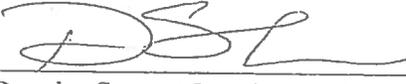
27 **13. Failure to Comply with Terms.** Should Respondent fail to comply with any term
28 or condition of this Agreement once the Agreement has been accepted, approved, and adopted by

1 the Board, the IC shall be authorized to immediately suspend Respondent's license to practice
2 medicine in Nevada pending an order to show cause hearing, which will be duly noticed. Failure
3 to comply with the terms of this Agreement, including failure to pay any fines, costs, expenses, or
4 fees owed to the Board, is a failure to comply with an order of the Board, which may result in
5 additional disciplinary action being taken against Respondent. NRS 630.3065(2)(a). Further,
6 Respondent's failure to remit payment to the Board for monies agreed to be paid as a condition of
7 this Agreement may subject Respondent to civil collection efforts. Respondent's compliance with
8 this Agreement or Board order shall be coordinated through the Board's Compliance Officer.

9
10 Dated this 21th day of July, 2015.

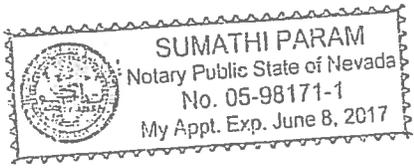
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12 By: 
13 Alexia M. Emmermann, Esq.
14 Attorney for the Investigative Committee

Dated this 22nd day of July, 2015.

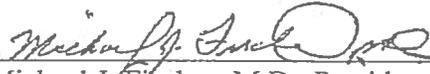
11 UNDERSTOOD AND AGREED:
12 By: 
13 Douglas Stewart Lynch, PA-C
14 Respondent

15 STATE OF Nevada)
16) :ss.
17 COUNTY OF Clark)
18 SUBSCRIBED and SWORN to before me
19 this 22nd day of July, 2015.

Sumathi Param.
20 Notary Public



1 **IT IS HEREBY ORDERED** that the foregoing Settlement Agreement is approved and accepted by the
2 Nevada State Board of Medical Examiners on the 11th day of September 2015, with the final total
3 amount of costs due of \$1,839.69.

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5 
6 Michael J. Fischer, M.D., President
7 NEVADA STATE BOARD OF MEDICAL EXAMINERS
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Nevada State Board of Medical Examiners

September 18, 2015

Douglas Lynch, PA-C
1808 Crownhaven Ct.
Las Vegas, NV 89108

Re: Compliance

Dear Mr. Lynch:

On September 11, 2015 the Nevada State Board of Medical Examiners, approved and accepted the Settlement Agreement regarding the complaint filed on Case No. 15-41732-1 finding the following:

- Respondent hereby agrees that the Board may issue an order finding that Respondent violated the Medical Practice Act when Respondent tested positive for illicit drug use, as set forth in the Complaint, violating NRS 630.306(1).

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

- The summary suspension imposed upon Respondent's license to practice medicine shall be lifted upon the Board's acceptance of this Agreement. Respondent's license shall be reinstated to Active-Probation status;
- Respondent shall remain enrolled in a drug treatment program for five years;
- Respondent shall comply with his providers' recommendations, which shall be monitored by the Board's Compliance Officer, to ensure continued success with his treatment;
- If not already completed, within 14 days of the Board's adoption and approval of this Agreement, Respondent shall execute a release, which complies with the Health Insurance Portability and Accountability Act (HIPAA), in favor of the Board allowing each and every provider to directly provide the Board with status reports regarding Respondent's treatment;
- The Board shall monitor Respondent for five years from the date of the Board's order in this matter unless the Board makes a determination that further monitoring is necessary;
- The count in the Complaint against Respondent alleging a violation of NAC 630.230(1)(c) shall be dismissed;
- The Board shall issue Respondent a public reprimand;

 LAS VEGAS OFFICE
Board of Medical Examiners
Building A, Suite 2
6010 S. Rainbow Boulevard
Las Vegas, NV 89118
Phone: 702-486-3300
Fax: 702-486-3301

 RENO OFFICE
Board of Medical Examiners
Suite 301
1105 Terminal Way
Reno, NV 89502
Phone: 775-688-2559
Fax: 775-688-2553

- Respondent shall complete eight hours of continuing medical education (CME), in addition to Respondent's statutory CME requirements for licensure, on the following topic: substance abuse;
- Respondent shall pay the Board \$1,839.69, the fees and costs incurred as part of the Board's investigative, administrative, and disciplinary proceedings;
- Respondent shall reimburse the Board, within 30 days of notice by the Board, for any reasonable costs and expenses further incurred by the Board in monitoring Respondent's compliance with this Agreement.

Your continued compliance with the terms and conditions will be monitored by the Compliance Unit.

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

- 1.) The costs in the amount of \$1,839.69 are due by December 11, 2015.
- 2.) The 8 hours of CME on substance abuse must be completed by September 11, 2016. Please keep in mind that the CME must be pre-approved so you must submit to me a synopsis of the CME well in advance of the due date.

Please contact me, in writing within 21 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,



Johanna LaRue, CMBI
Compliance Officer/Investigator
Nevada State Board of Medical Examiners
1105 Terminal Way, Suite 301
Reno, NV 89502
(775) 324-9377



Nevada State Board of Medical Examiners

September 18, 2015

Douglas Lynch, PA-C
1808 Crownhaven Ct.
Las Vegas, NV 89108

Mr. Lynch:

On September 11, 2015, 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 in Case Number 15-41732-1.

In accordance with the Agreement, the Board entered an Order finding you violated Nevada Revised Statute 630.306(1) when you tested positive for an illicit drug. For this violation, your license shall be placed in a probationary status, you shall remain enrolled in a monitoring program for five years and comply with your monitors' recommendations, you shall complete eight hours of continuing medical education in addition to any CME requirements that are regularly imposed as a condition of licensure in the state of Nevada, you shall be publicly reprimanded, you shall pay the fees and costs related to the investigation and prosecution of this matter, and you shall pay any other reasonable costs incurred by the Board in monitoring your compliance with the Agreement.

Accordingly, it is my unpleasant duty as President of the Board to formally and publicly reprimand you for your conduct which has brought professional disrespect upon you and which reflects unfavorably upon the medical profession as a whole.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael J. Fischer".

Michael J. Fischer, M.D., President
Nevada State Board of Medical Examiners

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