



1 patient without adequate notice or without making other arrangements for the continued care  
2 and treatment of the patient.

3 5. That pursuant to certain provisions of NAC 633.350(9), a licensee engages in  
4 unethical conduct if he engages in any other conduct that the Board determines constitutes  
5 unfitness to practice osteopathic medicine as well as abandons a patient and fails to comply  
6 with an order of the Board.

7  
8 6. That pursuant to NAC 633.370, if a medical competency examination determines that  
9 a licensee is not competent to practice osteopathic medicine with reasonable skill and safety  
10 to patients, the Board will consider that determination to constitute a rebuttal presumption of  
11 professional incompetence with regard to the licensee.

12 7. That pursuant to NRS 633.561, an osteopathic physician licensed by the Nevada  
13 State Board of Osteopathic Medicine shall be "deemed to have given his consent to submit to  
14 a mental or physical examination if directed to do so in writing by the Board." Furthermore,  
15 NRS 633.561 states that should the osteopathic physician fail to submit to the mental and/or  
16 physical examination, such failure "constitutes an admission of the charges against him" and  
17 further disciplinary action may be commenced.

18  
19 8. That pursuant to NRS 633.533, on November 25, 2009, the Board was notified that  
20 Dr. Trammel had lost his hospital privileges at Northeastern Nevada Regional Hospital in  
21 Elko, Nevada, effective October 26, 2009, due to patient care concerns; and the Board  
22 requested that Dr. Trammel submit to a mental/physical examination and/or assessment.

23 9. That Dr. Trammel was seen by a health care provider pursuant to the request for  
24 assessment, which provider assessed that Dr. Trammel was suffering from alcohol  
25 dependence, opiate dependence, sedative/hypnotic dependence, and narcissistic traits with  
26 avoidance personality features. An in-patient stay/recovery program was recommended and  
27 the assessment center/health care provider stated that Dr. Trammel was not ready to return  
28

1 to the practice of osteopathic medicine with skill and safety until an in-patient recovery  
2 program had been completed.

3 10. That Dr. Trammel, for a while cooperated, with the Board in attempting to find a  
4 suitable in-patient program.

5 11. That Dr. Trammel became uncooperative and a formal Order was entered by the  
6 Board requiring Dr. Trammel to present himself to one of the three programs by March 31,  
7 2010, for in-patient treatment.

8 12. That Order was served pursuant to NRS 633.631 upon Dr. Trammel's last known  
9 practice address and that Order was received on March 18, 2010.

10 13. That Dr. Trammel has failed to timely comply with the Board's Order by not  
11 presenting himself to one of the three recommended places of treatment.

12 14. That on March 24, 2010, the Board was notified that Dr. Trammel had vacated his  
13 medical office, leaving behind patients' medical records and various medications.

14 15. That a complaint has been filed by a patient that Dr. Trammel did not notify that  
15 patient of his office's closure and/or the termination of the medical care without first making  
16 other arrangements for the continued medical care of that patient.

17 16. That the patient has also complained to the Board that due to the office's  
18 unexpected closure, she is unable to obtain her medical records.

19 **II.**

20 **COUNT ONE (UNPROFESSIONAL CONDUCT)**

21 17. That the allegations raised in Paragraphs 1 through 16, inclusive, of this Complaint  
22 are incorporated herein by this reference as though such allegations were more fully set forth  
23 herein.

24 18. That the Board has a reasonable basis to believe that Dr. Trammel has engaged  
25 in conduct detrimental to the public's health and safety by his alleged alcohol and opiate  
26 dependence as well as his sedative/hypnotic dependence, narcissistic traits, and avoidant  
27  
28

1 personality features; and such is unprofessional conduct.

2 19. That Dr. Trammel has unexpectedly vacated his office, removing furniture but  
3 abandoning patients' medical records and medications without making arrangements to  
4 provide patients their medical records and arrange for their continued medical care and  
5 treatment; and by abandoning his patients without notice and any apparent concern for their  
6 continued medical care, Dr. Trammel has engaged in unprofessional conduct.

7 20. That Dr. Trammel's conduct described immediately above along with the facts that  
8 Dr. Trammel failed to notify the Board of his office closure and identify the physician who will  
9 assume custody and control of the patients' medical records. Dr. Trammel has engaged in  
10 unprofessional conduct.

11 21. That based upon the unprofessional conduct mentioned in this Count One,  
12 discipline of Dr. Trammel is statutorily warranted and factually mandated

13 **III.**

14 **COUNT TWO (UNETHICAL CONDUCT)**

15 22. That the allegations set forth in Paragraphs 1 through 21, inclusive, of this  
16 Complaint are incorporated herein by this reference as though such allegations were more  
17 fully set forth herein.

18 23. That pursuant to the NRS and NAC Chapters 633 provisions cited in Section I,  
19 General Allegations/Jurisdiction ("Section I") of this Complaint, Dr. Trammel has engaged in  
20 unethical conduct by engaging in behavior that constitutes an unfitness to practice  
21 osteopathic medicine and such unethical conduct included an alcohol and opiate  
22 dependency, sedative/hypnotic dependency, and narcissistic traits with avoidance personality  
23 features.

24 24. That pursuant to the provisions of NRS and NAC Chapters 633 cited in Section I  
25 of this Complaint, Dr. Trammel has engaged in unethical conduct by abandoning his patients  
26 without any notice whatsoever, abandoning his medical offices leaving patients' medical  
27 records and medications unprotected.

28 25. That Dr. Trammel has engaged in unethical conduct by his intentional and callous

1 disregard of his patients' continued medical care and treatment, as well as their privacy by  
2 discarding and abandoning his patients' medical records.

3 26. That based upon the unethical conduct described in this Count Two, the discipline  
4 of Dr. Trammel is factually warranted and statutorily mandated.

5 **IV.**

6 **COUNT THREE (FAILURE TO COMPLY WITH BOARD ORDER)**

7 27. The allegations set forth in Paragraphs 1 through 26, inclusive, of this Complaint  
8 are incorporated herein by this reference as though such allegations were more fully set forth  
9 herein.

10 28. That an Order was duly and statutorily issued by the Board for Dr. Trammel's in-  
11 patient participation at one of the three recommended facilities.

12 29. That the Order was served on Dr. Trammel's office on March 18, 2010, via  
13 certified mail pursuant to NRS 633.631.

14 30. That as of the date of this Complaint, Dr. Trammel has failed to present himself to  
15 one of the three recommended in-patient programs.

16 31. That Dr. Trammel's failure to comply with the Board's Order violates the Board's  
17 statutes and regulations and more specifically NRS 633.561, namely, that such a failure to  
18 comply constitutes an "admission of the charges against him," and discipline is statutorily  
19 required and mandated.

20 32. That the assessment of Dr. Trammel indicates that he should not return to the  
21 practice of osteopathic medicine until he completes an in-patient program. Pursuant to NAC  
22 633.370, such an assessment is a rebuttable presumption of professional incompetency  
23 requiring emergency action by the Board and/or initiation of a disciplinary action.

24 **IV.**

25 **COUNT FOUR (SUMMARY SUSPENSION)**

26 33. That the allegations set forth in Paragraphs 1 through 32, inclusive, of this  
27 Complaint are incorporated herein by this reference as though such allegations were more  
28 fully set forth herein.



1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

to exceed the sum of \$5,000 per violation;


5. That pursuant to NRS 633.651, that the Board issues a public reprimand and that such reprimand shall be posted on the Board's website;

6. That pursuant to NRS 633.651, Dr. Trammel be required to participate in an in-patient program for the correction of his alleged drug and alcohol dependencies; and

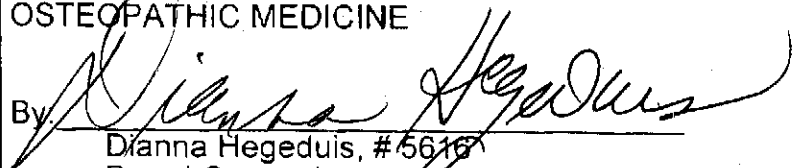
7. And for such other and further relief that the Board deems appropriate under the facts and circumstances of this case.

DATED this 1<sup>st</sup> day of April, 2010.

NEVADA STATE BOARD OF  
OSTEOPATHIC MEDICINE

By:   
C. DEAN MILNE, D.O.,  
Investigating Member of the  
Nevada Board of Osteopathic Medicine

Submitted by:  
NEVADA STATE BOARD OF  
OSTEOPATHIC MEDICINE

By:   
Dianna Hegedus, #5616  
Board Counsel  
2860 E. Flamingo Rd., # D  
Las Vegas, Nevada 89121  
(702) 732-2147