



**MEMBERS:**

Rudy R. Manthei, D.O.

Daniel K. Curtis, D.O.

Matthew J. McMahon, D.O.

Lisa Miller-Roche, Esq.

Gary S. Mono, D.O.

Paul H. Mozen, D.O.

Bonnie Parnell

**BOARD OF OSTEOPATHIC MEDICINE**

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TREY DELAP  
Deputy Executive Director

**PUBLIC NOTICE**

**MINUTES**

**EMERGENCY MEETING OF THE NEVADA STATE  
BOARD OF OSTEOPATHIC MEDICINE**

**9:30AM, FRIDAY, FEBRUARY 13<sup>TH</sup>, 2004**

**OFFICES OF THE  
NEVADA STATE BOARD OF OSTEOPATHIC MEDICINE  
2860 E. FLAMINGO ROAD, STE. D  
LAS VEGAS, NV 89121**

**I. CALL TO ORDER (Discussion/Action)**

Drs. Manthei, McMahon, and Curtis, and Ms. Parnell, and Ms. Miller-Roche were present. Dr. Curtis was not present. Larry J. Tarno, DO, Executive Director, Trey Delap, Deputy Executive Director, Charlotte Bible, Esq., Chief Deputy Attorney General, Juliet V. Casey, Las Vegas Review-Journal, Linda Shipman, DEA Diversion, mother and step father of Rae Ann Distasi, Coni Longero, and John Hambrick were present.

**II. EMERGENCY HEARING IN THE MATTER OF THE COMPLAINT  
AGAINST GARY RAY LUTZ, DO (LIC# 327).**  
CHARLOTTE BIBLE, ESQ., CHIEF DEPUTY ATTORNEY GENERAL

Ms. Bible outlined the counts against Dr. Lutz. The counts included gross malpractice resulting in the death of Rae Ann Distasi. Excessive prescribing of controlled substances.

Ms. Bible presented the evidence including the medical records of Ms. Distasi, the autopsy and coroner's reports, and actual prescriptions for excessive quantities of methadone, alprazolam, and other controlled substances.

Dr. Tarno presented that the quantities of controlled substances prescribed exceeded any reasonable legitimate medical purpose in the practice setting in which Dr. Lutz was practicing. Dr. Tarno stated that in the rare instances that patients are prescribed these quantities of controlled substances, the patient is usually in the hospital.

Ms. Bible articulated that the continued practice of Dr. Lutz posed an eminent threat to the public and urged the Board to order an emergency suspension.

Dr. Manthei moved to order an emergency summary suspension, seconded by Ms. Miller-Roche. Drs. Manthei, McMahon, Ms. Parnell, and Ms. Miller-Roche voted in favor of the suspension. Dr. Mozen voted nay on the suspension.

### **III. PUBLIC COMMENT PERIOD**

There was no public Comment.

### **IV. SCHEDULING OF NEXT MEETING INCLUDING A SPECIAL MEETINGS, HEARINGS AND ADJOURN** (Discussion/Action)

Next meeting was scheduled for March.