

1 **BEFORE THE NEVADA STATE BOARD OF OSTEOPATHIC MEDICINE**

2 IN THE MATTER OF THE COMPLAINT

3 AGAINST

4 MILES FINE, D.O.,

5 RESPONDENT.

Case No.: AD1006002

Filed: NV STATE BOARD OF
OSTEOPATHIC MEDICINE

JUN 23 2010

FILED

6 **NOTICE OF HEARING**

7
8 **NOTICE IS HEREBY GIVEN** that a formal disciplinary (administrative) complaint has
9 been filed pursuant to Chapter 633 of the Nevada Revised Statutes and Chapter 633 of the
10 Nevada Administrative Code, charging you with (1) unprofessional conduct and unethical
11 conduct due to inadequate and/or incomplete medical records; (2) unprofessional conduct for
12 performing an unnecessary surgery and/or in the alternative, for billing for a surgery that was
13 not actually performed; (3) unethical conduct due to the creation of a false medical record
14 and/or billing records; (4) unethical conduct due to performing an unnecessary surgery for
15 purposes of insurance payments only; and (5) gross malpractice, i.e., performing a surgery on
16 a minor child that is not the standard in the medical community;

17
18 All of such conduct may also constitute an unfitness to practice osteopathic medicine in
19 the State of Nevada. A photocopy of the Complaint is being served on you along with this
20 Notice of Hearing. Notices pursuant to NRS chapter 233B have already been provided to the
21 Respondent.

22
23 **YOU ARE HEREBY NOTIFIED** that a hearing before the Hearing Officer for the Nevada
24 State Board of Osteopathic Medicine on the complaint shall commence as follows:

25 On the 28th day of AUGUST, 2010, at the hour of 9:00 A.M., or
26 as soon thereafter as it may be heard, and continuing on the 29th day of
27 AUGUST, 2010 and on other days, if necessary, at the Offices of the
28 State of Nevada Board of Osteopathic Medicine, located at 901 American

1 Pacific Drive, Unit 180, Henderson, Nevada 89014.

2 **YOU ARE FURTHER NOTIFIED** that you have the right to be heard and to appear in
3 person or by counsel and to present evidence and witnesses on your behalf at the aforesaid
4 time and place fixed for the hearing on the Complaint and charges.

5 **YOU ARE FURTHER NOTIFIED** that possible sanctions authorized in NRS 633.651
6 include:

7 Probation for a specified period or until further order of the Board.

8 A public reprimand.

9 Limitation of the practice to, or by exclusion of, one or more specified branches of
10 osteopathic medicine.

11 Suspension of the license to practice osteopathic medicine for a specified period
12 or until further order of the Board.

13 Revocation of the license to practice osteopathic medicine.

14 Fines in the amount of, and up to, \$5,000.00 per violation.

15 Supervision of the practice of osteopathic medicine.

16 The requirement of community service for no compensation.

17 Additional training and/or education requirements, and

18 Any other terms, provisions, or conditions the Board deems proper and which are
19 not inconsistent with law.

20 The Hearing Officer may award fees and costs to the Board and against you.

21 **YOU ARE ALSO NOTIFIED** that, pursuant to NAC 633.460, you and/or your attorney
22 shall meet or confer with the Board's legal counsel, and the prosecuting attorney for the Board,
23 not later than 20 days before the hearing and exchange copies of all documents that each
24 party intends to offer as evidence in support of its case, identify describe or produce all
25 tangible things, other than documents, that each party intends to offer as evidence in support
26 of its case and, if requested, arrange for the opposing party to inspect, copy, test, or sample
27 such evidence under reasonable supervision, and exchange written lists of persons that each
28 party intends to call as witnesses in support of its case as outlined in NAC 633.460 (1)(c).

