

1 Hiler is voluntarily waiving all these rights in exchange for the Board's acceptance of this settlement
2 agreement.

3 3. Should the settlement agreement be rejected by the Board, it is agreed that presentation to and
4 consideration by the Board of such proposed settlement agreement or other documents or matters
5 pertaining to the consideration of this settlement agreement shall not unfairly or illegally prejudice the
6 Board or any of its members from further participation, consideration, adjudication, or resolution of
7 these proceedings and that no Board member shall be disqualified or challenged for bias.

8 4. Dr. Hiler for himself, his executors, administrators, successors, and assigns hereby releases and
9 forever discharges and holds harmless the State of Nevada, the Nevada Board of Osteopathic Medicine
10 and each of their members, agents, investigators and employees in their individual and representative
11 capacities, from any and all manner of actions, causes of action, suit, debts, judgments, executions, claims
12 and demands whatsoever, known and unknown, in law or equity, that Licensee ever had, now has, may
13 have or claim to have against any or all of the persons or entities named in this paragraph arising out of
14 or by reason of this investigation, this disciplinary action, this settlement agreement or its administration.

15 5. In consideration for the execution of the settlement agreement, Dr. Hiler hereby releases and
16 forever discharges the State of Nevada, the Board of Osteopathic Medicine, and the Nevada Attorney
17 General's Office (as counsel for the Board), and each of their representatives, investigators, and
18 employees, in their individual and representative capacity from any and all manner of actions, causes of
19 actions, suits, debts, judgments, executions, claims and demands whatsoever, known or unknown, in law
20 and in equity, that he may have had, now has, or claim to have against any and all of the persons and
21 entities named in this paragraph arising out of or by reason of the investigation of the allegations raised
22 herein and other matters relating thereto.

23 6. Dr. Hiler acknowledges that the settlement agreement shall only become effective after both
24 the Board and he have duly executed it.

25 7. Dr. Hiler enters into this settlement agreement voluntarily after being fully advised of his rights
26 and as to the consequences of this settlement agreement. This settlement agreement embodies the entire
27 agreement reached between the Board and Dr. Hiler. It may not be altered, amended, or modified
28 without the express consent of the parties.

901 American Pacific Drive Unit 180 • Henderson, NV 89014
(702) 732-2147

1 dispensed to patients though Dr. Hiler did not have a dispensing registration from the Board of
2 Pharmacy at the location; (3) that some of the dangerous drugs that were dispensed to patients from the
3 facility were not FDA-approved products and were not lawfully acquired, possessed, and dispensed; (4)
4 the policies and procedures at the facility allowed unqualified and unlicensed people to perform acts
5 regarding the assessment, treatment, and dispensing of prescription drugs to patients; (5) that the
6 controlled substances and dangerous drugs used at the facility were inadequately and unlawfully secured,
7 stored, and labeled; (6) that the structure of the practices at the facility was such that Dr. Hiler allowed
8 his objectivity and professionalism regarding the assessment and treatment of patients at the facility to be
9 compromised in favor of the commercial interests at the facility; (7) that the advertising of the facility,
10 including but not limited to information on its website, advertised services and products that could not
11 lawfully be provided and were generally unbecoming of an osteopathic physician and unprofessional; (8)
12 that the assessment and diagnostic procedures related to the patients at the facility were inadequate and
13 not up to the standards expected of a competent osteopathic physician; (9) that the practices allowed at
14 and engaged in by Dr. Hiler at the facility fell below the standards of practice for osteopathic physicians
15 practicing in Las Vegas.

16 3. Dr. Hiler's conduct taken separately or together constituted violations of any or all of NRS
17 633.041(4), 633.071, 633.111, 633.131(d), (e), (f)(2), (g), (k), (l), (m), and 633.511(1), (4), (5), and (17)
18 and NAC 633.350(5), (6), and (9) and 633.360.

19 STIPULATED ADJUDICATION

20 Based upon the above acknowledgments of the parties and their mutual agreement, the parties
21 stipulate and agree that the following terms of discipline should be imposed by the Board in this matter:

22 1. Dr. Hiler shall permanently surrender his license (License No. 1055) effective upon the
23 Board's acceptance of this Settlement Agreement and Order.

24 2. Dr. Hiler shall pay the sum of \$3,000.00 as a combined fine and payment of the Board's fees
25 and costs for the investigation and prosecution of this matter, which shall be paid in monthly installments
26 with a minimum of \$100 beginning November 1, 2011. The Board shall pay its fees and costs of
27 investigation and prosecution of this matter from the \$3,000.00 received from Dr. Hiler, and shall
28 consider the remainder to be a fine.

1 3. The Board's staff may take any and all actions it deems necessary to collect any sums ordered
2 that remain unpaid. If the Board's staff is required to pursue judicial action to effect such collections, it
3 shall be entitled to recover its attorney's fees and costs incurred in pursuing such judicial action in the
4 event that it prevails in any such judicial action.

5 Signed this 11/2 day of November, 2011.

6 Respondent Richard Hiler, D.O.

7
8 By Richard C. Hiler XXXX
9 * Richard Hiler, D.O., Respondent

10 Nevada Board of Osteopathic Medicine

Louis Ling, Esq.

11
12 By Dean Milne
13 Dean Milne, D.O.
14 Investigating Board Member

15 By _____
16 Louis Ling
17 Board Counsel

18 ORDER

19 WHEREAS, on November 8 2011, the Nevada State Board of Osteopathic Medicine
20 approved and adopted the terms and conditions set forth in the Agreed Settlement and Order with
21 Richard Hiler, D.C. IT IS SO ORDERED.

22 SIGNED AND EFFECTIVE this 8 day of November, 2011.

23 NEVADA STATE BOARD OF OSTEOPATHIC MEDICINE

24 Paul Kalekas
25 Paul Kalekas, D.O., Chairman

26
27 *Alberdus:*
28 Thank you, for all your
respect. I am certain your
understand.
RCH, D

901 American Pacific Drive Unit 180 Henderson, NV 89014
(702) 732-2147

1 3. The Board's staff may take any and all actions it deems necessary to collect any sums ordered
2 that remain unpaid. If the Board's staff is required to pursue judicial action to effect such collections, it
3 shall be entitled to recover its attorney's fees and costs incurred in pursuing such judicial action in the
4 event that it prevails in any such judicial action.

5 Signed this 11/2 day of November, 2011.

6 Respondent Richard Hiler, D.O.

7
8 By Richard C. Hiler
9 Richard Hiler, D.O., Respondent

XXX

10 Nevada Board of Osteopathic Medicine

Louis Ling, Esq.

11
12 By Dean Milne, D.O.
13 Investigating Board Member

14
15 By Louis Ling
16 Louis Ling
17 Board Counsel

ORDER

18 WHEREAS, on _____, 2011, the Nevada State Board of Osteopathic Medicine
19 approved and adopted the terms and conditions set forth in the Agreed Settlement and Order with
20 Richard Hiler, D.C. IT IS SO ORDERED.

21 SIGNED AND EFFECTIVE this ____ day of November, 2011.

22 NEVADA STATE BOARD OF OSTEOPATHIC MEDICINE

23 Paul Kalekas, D.O., Chairman

24 *Addressed:*
25 *Thank you, for all your*
26 *respect. I am certain your*
27 *understand.*
28 *PCA, D*

901 American Pacific Drive, Unit 180 • Henderson, NV 89014
(702) 732-2147

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

BEFORE THE NEVADA STATE BOARD OF OSTEOPATHIC MEDICINE

IN THE MATTER OF THE COMPLAINT)
AGAINST)
Richard Hiler, D.O., LIC. #1055)
RESPONDENT.)

Case No.: AD1107001

**NV STATE BOARD OF
OSTEOPATHIC MEDICINE**

NOV 09 2011

FILED

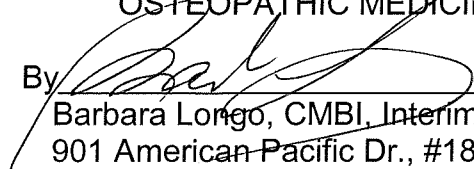
**WRITTEN NOTICE OF ENTRY OF ORDER
APPROVING SETTLEMENT AGREEMENT**

PLEASE TAKE NOTICE that on the 9th day of November, 2011 the Nevada State Board of Osteopathic Medicine entered an order approving the Settlement Agreement between the Respondent, Richard Hiler, D.O., and Enforcement Department of the Board. A file-stamped copy of the settlement agreement with order is attached.

DATED THIS 9th day of November, 2011.

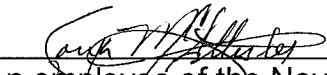
NEVADA STATE BOARD OF
OSTEOPATHIC MEDICINE

By


Barbara Longo, CMBI, Interim Executive Director
901 American Pacific Dr., #180
Henderson, NV 89014

CERTIFICATE OF SERVICE

I hereby certify that on the 9th day of November, 2011, I served a copy of the ABOVE Notice with attachment upon the parties to this matter, via U.S. Postal Service, postage thereon prepaid, addressed as follows:


An employee of the Nevada State Board of
Osteopathic Medicine