

Nevada State Board of Osteopathic Medicine  
2860 E. Flamingo Rd., Suite D • Las Vegas, NV 89121-5270  
(702) 732-2147

1 **NEVADA STATE BOARD OF OSTEOPATHIC MEDICINE**

2 In the Matter of:

3 WELDON BOND, D.O., License  
4 No. 493,

5 Respondent.

CASE NO. AD 0910002

**NV STATE BOARD OF  
OSTEOPATHIC MEDICINE**

JAN 20 2010

**FILED**

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7 **AMENDED FORMAL ADMINISTRATIVE COMPLAINT**

8 COMES NOW the Nevada State Board of Osteopathic Medicine ("Board") by and  
9 through the Investigative Board Member ("IBM") Scott Manthei, D.O., and Deputy Executive  
10 Director Barbara Longo, and for their complaint against Weldon Bond, .D.O. ("Dr. Bond")  
11 alleges as follows:

12 **General Jurisdiction**

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14 1. That Respondent is licensed in active status to practice medicine in the State of  
15 Nevada, and at all times alleged herein, was so licensed by the Board pursuant to the  
16 provisions of Chapter 633 of the Nevada Revised Statutes and Chapter 633 of the Nevada  
17 Administrative Code.

18 2. That NRS 633.511 provides that unprofessional conduct is grounds for the  
19 initiation of disciplinary proceedings.

20 3. That NRS 633.131(1) defines "Unprofessional conduct" as follows:

21 (f) Engaging in any:

22 (1) Professional conduct which is intended to deceive or  
23 which the board by regulation has determined is unethical;

24 (2) Medical practice harmful to the public or any conduct  
25 detrimental to the public health, safety or morals which does  
26 not constitute gross or repeated malpractice or professional  
27 incompetence.

28 (g) Administering, dispensing or prescribing any controlled  
substance or any dangerous drug as defined in chapter 454  
of NRS, otherwise than in the course of legitimate  
professional practice or as authorized by law.

(m) Failure of a licensee to maintain timely, legible, accurate

and complete medical records relating to the diagnosis, treatment and care of a patient.

4. That NAC 633.350 states that a licensee engages in "unethical conduct" if he:
  - (5) Fails to generate or create medical records relating to the diagnosis, treatment and care of a patient.
  - (6) Prescribes a controlled substance in a manner or an amount that the board determines is excessive.
  - (9) Engages in any other conduct that the Board determines constitutes unfitness to practice osteopathic medicine.

5. That NRS 633.151 states that the "purpose of licensing osteopathic physicians and physician assistants is to protect the public health and safety and the general welfare of the people of [the State of Nevada]. Any license issued pursuant to this chapter is a revocable privilege, and a holder of such a license does not acquire thereby any vested right."

6. That NRS 633.651 states, in part, as follows:

1. If the Board finds a person guilty in a disciplinary proceeding, it shall by order take one or more of the following actions:
  - a. Place the person on probation for a specified period or until further order of the Board.
  - b. Administer to the person a public reprimand.
  - c. Limit the practice of the person to, or by the exclusion of, one or more specified branches of osteopathic medicine.
  - d. Suspend the license of the person to practice osteopathic medicine for a specified period or until further order of the Board.
  - e. Revoke the license of the person to practice osteopathic medicine.The order of the Board may contain such other terms, provisions or conditions as the Board deems proper and which are not inconsistent with law.
2. The Board shall not administer a private reprimand.
3. An order that imposes discipline and the findings of fact and conclusions of law supporting that order are public records.

7. Pursuant to SB 269 (Nevada Legislature 2009), NRS 633.651 was amended to include the following approved discipline:

- a. Impose a fine not to exceed \$5,000 for each violation,
- b. Require supervision of the practice of the person,
- c. Require the person to perform community service without compensation,
- d. Require the person to complete any training or educational requirements specified by the Board,

1 e. Require the person to participate in a program to correct alcohol or drug  
2 dependence or any other impairment.

3 This additional discipline became effective October 1, 2009.

4 **COUNT ONE**  
5 **(Unprofessional Conduct / lack**  
6 **of DEA registration)**

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

10 9. The Drug Enforcement Agency ("DEA") registration for Dr. Bond expired July  
11 31, 2009. Notice was sent by the DEA to Dr. Bond's last known address of 2881 So. Valley  
12 View, Suite 17, Las Vegas, Nevada, on June 10, 2009, reminding Dr. Bond of his need to  
13 renew his registration. When Dr. Bond did not renew his registration, a delinquency notice  
14 was sent to the Valley View address on August 7, 2009, by the DEA once again reminding  
15 Dr. Bond that his registration expired on July 31, 2009, and that his DEA registration, No.  
16 BB1354733, would be "retired" effective September 1, 2009.

17 10. Pursuant to 21 C.F.R. §1306, a physician is required to not only have a  
18 controlled substance/dangerous drug registration in the state in which the physician is  
19 prescribing, but the physician must also have a registration with the DEA. Satisfying one  
20 portion of the two requirements is insufficient for purposes of writing prescriptions for  
21 controlled substances.

22 11. Dr. Bond wrote prescriptions for controlled substances during the months of  
23 August and September, 2009, without the required registration with the DEA, and such is  
24 unprofessional conduct inasmuch as his DEA registration expired on July 31, 2009, and was  
25 "retired" as of September 1, 2009.

26 12. Dr. Bond wrote prescriptions for controlled substances during the months of  
27 October and December, 2009, without the required registration with the DEA; and such is  
28

1 unprofessional conduct inasmuch as his DEA registration expired on July 31, 2009 and was  
2 "retired" as of September 1, 2009.

3 13. Dr. Bond has more specifically engaged in unprofessional conduct by reason of  
4 the following acts: (a) he deceived the public by writing prescriptions during the months of  
5 August, September, October, and December 2009, for controlled substances when he did  
6 not have the DEA authority to do so; (b) by writing prescriptions without compliance with the  
7 Federal Code of Regulations during the months of August, September, October, and  
8 December 2009, he has engaged in medical conduct that is harmful and/or detrimental to  
9 the public's health, safe, and morals, and does not comply with the standards of care and  
10 prescribing requirements for osteopathic physicians practicing in the State of Nevada; (c) by  
11 writing prescriptions during the months of August, September, October, and December 2009,  
12 without a DEA registration, Dr. Bond has violated NRS chapter 454 and the federal  
13 regulation identified herein. Based upon such unprofessional conduct as described in this  
14 paragraph, discipline is warranted pursuant to NRS 633.511(1) and such discipline is set  
15 forth in NRS 633.651 as amended by the 2009 Nevada Legislature.  
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18 **COUNT TWO**  
19 **(Unprofessional Conduct & Unethical Conduct**  
20 **re: inadequate medical records)**

21 14. The allegations and representations found in Paragraphs 1 through 13,  
22 inclusive, of this Complaint are incorporated herein by this reference as though such  
23 allegations were more fully set forth herein.

24 15. Records were confiscated from Dr. Bond's home, office on Valley View, and  
25 storage unit shared with another physician located at the Valley View address, on a patient  
26 with the initials of J.G. Such is the medical records file on this patient and consist of six  
27 pages. One page identified the patient with the patient's date of birth, with no other  
28 information or notations. The second page contains notes of various ailments and current  
prescriptions, in all likelihood, as related by the patient. This page contains no notations

1 regarding any testing or further examinations required of patient J.G. to substantiate any  
2 alleged ailments and/or need for prescriptions. The remaining four (4) pages contain  
3 photocopies of five (5) prescriptions and/or authorization to fill/refill.

4 16. Records from the Nevada State Board of Pharmacy for the time period 2008  
5 through the current date/year reveal that Dr. Bond has prescribed for patient J.G. as early as  
6 January 2008; however, the medical records confiscated from Dr. Bond are woefully  
7 inadequate and incomplete with respect to any diagnosis, prognosis, confirmation/proof of  
8 any alleged ailments or injuries, results of any lab work, results of any Xrays-Cat Scans-MRI  
9 and no evidence that any has been requested of patient J.G. by Dr. Bond, results of any other  
10 testing or examination, no records from prior treating physicians or prior treating facilities, and  
11 there are no reports of any specific visit or examination conducted on any date which would  
12 support the need for the prescriptions provided to patient J.G.

13 17. Pursuant to NRS 629.051, physicians are required to retain records for a  
14 minimum of five (5) years.

15 18. Based upon the inadequate and incomplete medical records on patient J.G., Dr.  
16 Bond has engaged in unprofessional conduct by violating NRS 633.131(m); and discipline  
17 pursuant to NRS 633.651 as amended by the 2009 Nevada Legislature is warranted.

18 19. Based upon the inadequate and incomplete medical records on patient J.G., Dr.  
19 Bond has engaged in unethical conduct by violating NAC 633.350; and discipline pursuant to  
20 NRS 633.651 as amended by the 2009 Nevada Legislature is warranted.

21 **COUNT THREE**  
22 **(Unethical Conduct/overprescribing)**

23 20. The allegations and representations found in Paragraphs 1 through 19,  
24 inclusive, of this Complaint are incorporated herein by this reference as though such  
25 allegations were more fully set forth herein.

26 21. Pursuant to NAC 633.350, a licensee engages in unethical conduct by  
27 prescribing controlled substances in a manner or in an amount that is excessive, as well as  
28 engages in other conduct that the Board determines is an unfitness to practice.



**PRAYER**

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2 WHEREFORE, the Investigative Board Member, Scott Manthei, D.O., of the Board of  
3 Osteopathic Medicine and Barbara Longo, Deputy Executive Director of the Board, pray as  
4 follows:

5 1. That the Nevada State Board of Osteopathic Medicine appoint a hearing officer  
6 in this matter and that such hearing officer conduct a hearing on this Complaint as provided  
7 by statute;

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9 2. That, pursuant to NRS 633.651, Respondent, Weldon Bond, D.O., be publicly  
10 reprimanded and/or the license of Respondent, Weldon Bond, D.O., be revoked, suspended,  
11 limited to a specified branch of osteopathic medicine, or placed on probation with conditions  
12 and terms as the Nevada State Board of Osteopathic Medicine may deem just and proper  
13 and which are not inconsistent with law;

14 3. That Respondent, Weldon Bond, D.O., be ordered to (a) pay all reasonable  
15 investigative fees incurred by the Board and attorney's fees and costs incurred during the  
16 investigation as well as (b) pay all Board investigative and attorneys' fees and costs incurred  
17 during the administrative and disciplinary proceedings;

18 4. That Dr. Bond be ordered to pay fines pursuant to the recent revisions to NRS  
19 633.651 of up to \$5,000 per violation as identified herein; and

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