IN THE MATTER OF:  

DAVID ADAMS, D.O.,  
License No. 1074,  
Respondent.  

Case No. AD1706001  
ORDER OF SUMMARY SUSPENSION  
OF LICENSE TO PRACTICE  
OSTEOPATHIC MEDICINE  

The Nevada State Board of Osteopathic Medicine, by and through its investigating board member Ronald Hedger, D.O. and its Executive Director Sandra Reed, hereby immediately suspends the license to practice osteopathic medicine of David Adams, License No. 1074 pursuant to NRS 233B.127 and 633.581. This order is made and based upon the following facts and law:

I.

David Adams, D. O., is licensed by the Board to practice osteopathic medicine in Nevada (License No. 1074). Dr. Adams is board certified in anesthesiology.

II.

In February 2017, the Board’s office received information upon which the Board’s staff initiated an investigation relating to Dr. Adams’ practice of medicine. The information indicated that Dr. Adams was engaged in the general practice of medicine in addition to his practice as an anesthesiologist in various institutional settings, and the information indicated concerns with Dr. Adams’ practices as a general practitioner.

III.

The Board’s investigation determined that Dr. Adams had a professional relationship of over 15 years with another physician, Dr. Ronald Foote, M.D. On May 30, 2014, Dr. Foote and the Nevada State Board of Medical Examiners (BME) entered into a stipulated indefinite suspension of Dr. Foote’s license on May 30, 2014 that was followed in July 2014 with the commencement of a disciplinary action by the BME against Dr. Foote. The disciplinary action was resolved and the indefinite suspension was modified by a Settlement Agreement and Order Lifting Suspension entered by the BME and Dr. Foote on June 3, 2016. As a result of the disciplinary actions by the BME against Dr. Foote, since May 30, 2014, Dr. Foote did not have a DEA registration or a Nevada Controlled Substances
Registration, meaning that Dr. Foote was prohibited from prescribing, administering, possessing, or
distributing controlled substances to his patients.

IV.

When Dr. Foote’s license was restored with conditions in June 2016, Dr. Adams assisted Dr.
Foote with Dr. Foote’s general practice out of Dr. Foote’s office at Las Vegas Pain and Wellness
Center, 6773 W. Charleston Boulevard in Las Vegas, Nevada. The Board’s investigation determined
that the practices developed and implemented by Dr. Foote and Dr. Adams were that Dr. Foote would
see a patient at his office, and when Dr. Foote determined that a patient would need medications, he
would prescribe any dangerous drugs himself and that Dr. Adams would prescribe any controlled
substances for the patient. When Dr. Adams prescribed controlled substances for Dr. Foote’s patients,
he did so on a prescription blank indicating that he was doing so as a physician employed at or working
from Dr. Foote’s practice, Las Vegas Pain and Wellness Center.

V.

The Board’s investigation determined that Dr. Adams almost never saw, met, touched, or
examined any of the patients who received his controlled substances prescriptions. The Board’s
investigation determined that Dr. Adams was in surgeries as an anesthesiologist on the dates and times
when his purportedly wrote prescriptions for Dr. Foote’s patients. The Board’s investigation
determined that Dr. Foote provided Dr. Adams’ prescriptions to Dr. Foote’s patients by filling out
prescription blanks from Las Vegas Pain and Wellness Center that Dr. Adams had signed, had left
blank, and had provided to Dr. Foote for Dr. Foote to complete and provide to Dr. Foote’s patients. The
Board’s investigation determined that Dr. Adams would ratify the controlled substances prescriptions
filled out and issued by Dr. Foote by reviewing Dr. Foote’s notes regarding the patients at some time
after the prescriptions had been issued. The Board’s investigation determined that Dr. Adams at no
time indicated to the Board that he was practicing from Dr. Foote’s practice, Las Vegas Pain and
Wellness Center. The Board’s investigation determined that many of the controlled substances
prescriptions were for promethazine HCL and codeine phosphate syrup, a controlled substance in
schedule V.
VI.

On November 30, 2017, Dr. Foote’s office was searched pursuant to a warrant by officers and agents from the federal Drug Enforcement Agency (DEA) Tactical Diversion Squad. Based upon the evidence seized and admissions made by Dr. Foote, Dr. Foote was arrested and was booked into the Clark County Detention Center.

VII.

As part of the investigation of Dr. Foote, Dr. Foote was interviewed at length on November 20, 2017, and Dr. Adams was interviewed on December 13, 2017. The interviews and evidence obtained pursuant to the DEA’s investigation showed that Dr. Foote’s examinations of his patients were cursory and inadequate, that based upon these examinations he would render a diagnosis that was merely pretextual, and that based upon the pretextual diagnosis he would then issue prescriptions to the patients for controlled substances using the pre-signed prescription blanks provided to him by Dr. Adams, and that Dr. Foote would then collect cash from the patient.

VIII.

The interviews and evidence obtained pursuant to the DEA’s investigation included admissions by Dr. Adams that he knew of Dr. Foote’s practices, that he knowingly provided pre-signed blank prescriptions from Las Vegas Pain and Wellness Center in order for Dr. Foote to facilitate his practices, that some of the pre-signed prescriptions blanks would be prepared by Dr. Adams for promethazine HCL and codeine phosphate syrup 473 ml., and that Dr. Adams acknowledged that he did not know how much 473 ml. actually was or whether that was a large or small quantity.

IX.

The interviews and evidence obtained pursuant to the DEA’s investigation included admissions by Dr. Foote and Dr. Adams that Dr. Adams did not see, touch, or examine any of Dr. Foote’s patients and that Dr. Adams merely relied on Dr. Foote’s notes to serve as the basis for the controlled substances prescriptions that Dr. Adams knew Dr. Foote would prescribe for Dr. Foote’s patients using the pre-signed prescription blanks daily provided by Dr. Adams to Dr. Foote.
X.

The evidence collected from Dr. Foote’s office by the DEA included a signature stamp of Dr. Adams’ signature and several pre-signed prescription blanks from Las Vegas Pain and Wellness Center signed by Dr. Adams. The interviews and evidence obtained pursuant to the DEA’s investigation included an admission by Dr. Adams that he did pre-sign prescriptions that would be used by Dr. Foote to prescribe controlled substances to Dr. Foote’s patients.

XI.

On February 14, 2018, a criminal complaint was filed in the Las Vegas Justice Court against Dr. Adams (Case No. 18F02513X), charging Dr. Adams with four counts of conspiracy to violate the controlled substances act (NRS 453.401(1)(a)) and four counts of possession of signed prescription blanks (NRS 453.331(1)(a)). All eight counts are felonies. Dr. Adams’ initial appearance regarding the criminal complaint is scheduled for March 14, 2018.

XII.

Based upon the above facts gathered by the Board in its investigation, which facts were confirmed by the facts gathered by the DEA in its investigation, it is the reasonable belief of the IBM and the Executive Director of the Nevada State Board of Osteopathic Medicine that the health, safety, and welfare of the public and patients who might be served by Dr. Adams is at risk of imminent or continued harm unless Dr. Adams’ license to practice osteopathic medicine in Nevada is immediately suspended.

XIII.

The above facts and circumstances evidence potential violations of Nevada law that will be detailed in a Complaint for Disciplinary Action and will be filed after this Order.

**THEREFORE, IT IS HEREBY ORDERED** pursuant to NRS 233B.127 and 633.581 that Dr. Adams’ license to practice osteopathic medicine (License No. 1074) is hereby immediately and summarily suspended. The Board’s staff shall prepare and file the necessary documents shortly to assure that Dr. Adams will receive a full and fair administrative hearing on or before 45 days from the date of this order. Until the hearing in this matter, Dr. Adams’ license to practice osteopathic medicine is hereby suspended.
Signed this 27th day of February, 2018.

By RONALD HEDGER, D.O.
Investigating Board Member

By SANDRA REED
Executive Director
BEFORE THE NEVADA STATE BOARD OF OSTEOPATHIC MEDICINE

IN THE MATTER OF:  
DAVID ADAMS, D.O.  
License No. 1074  
RESPONDENT.  

) Case No.: AD1706001

CERTIFICATE OF SERVICE

I hereby certify that on the 27th day of February, 2018, I served a copy of the ABOVE Notice with attachment upon the parties to this matter, via personal service.

David Adams, D.O.

An employee of the Nevada State Board of Osteopathic Medicine