

COPY

BEFORE THE BOARD OF MEDICAL EXAMINERS
OF THE STATE OF NEVADA

IN THE MATTER OF THE COMPLAINT

CASE No. 99-9170-1

Against

NO.

FILED

20 December 1999

WILLIAM O. MURRAY, M. D.,

Respondent.

EXECUTIVE DIRECTOR

FINDINGS OF FACT, CONCLUSIONS OF LAW
AND
ORDER

The above-entitled matter came on regularly for decision before the Nevada State Board of Medical Examiners, (hereinafter "Board"), on Saturday, December 4, 1999. Respondent, William O. Murray, M.D. (hereinafter "Dr. Murray"), was not present at the meeting, nor was anyone present who stated they represented Dr. Murray.

The members of the Board participating in the decision were, Mr. Arne D. Rosencrantz, President, Rex T. Baggett, M.D., Susan S. Buchwald, M.D., Paul A. Stewart, M.D., Cheryl A. Hug-English, M.D., and Donald H. Baepler, Ph.D. Participating as legal counsel to the Board was Leslie A. Nielsen, Assistant Chief Deputy Attorney General. All remaining members of the Board being members of the Investigative Committee that issued the complaint in this matter were excused from participating and took no part in the proceedings of the Board.



1 The Board having received a copy of the hearing transcript, the synopsis of
2 the hearing officer, and being provided with the complaint and exhibits in this matter,
3 and having reviewed all the above proceeded to make a decision pursuant to the
4 provisions of NRS 630.352.

5 The Board after due consideration of the record, evidence and law, and being
6 fully advised in the premises, makes its FINDINGS OF FACT, CONCLUSIONS OF
7 LAW AND ORDER AS FOLLOWS:
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9 **FINDINGS OF FACT**

10 1. Dr. Murray is licensed to practice medicine in the state of Nevada, and
11 at all times alleged in the complaint on file herein, was so licensed by the Board.

12 2. A complaint was filed on June 22, 1999, against Dr. Murray alleging
13 violations of Chapter 630 of the Nevada Revised Statutes in Fifty-Nine (59) separate
14 counts.

15 3. That the allegations of Count One of the complaint have been proven
16 by a preponderance of the evidence, that Dr. Murray aided and assisted an
17 unlicensed person to practice medicine in the state of Nevada on Patient A, a patient
18 of Dr. Murray, a violation of the provisions of NRS 630.305(1)(e).

19 4. That the allegations of Count Two of the complaint have been proven
20 by a preponderance of the evidence, that Dr. Murray delegated the responsibility for
21 the care of a patient - Patient A - to a person who Dr. Murray knew, or had reason to
22 know, was not qualified to undertake that responsibility, a violation of the provisions
23 of NRS 630.305(1)(f).
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1 5. That the allegations of Count Three of the complaint have been proven
2 by a preponderance of the evidence, that Dr. Murray aided and assisted an
3 unlicensed person to practice medicine in the state of Nevada on Patient B, a patient
4 of Dr. Murray, a violation of the provisions of NRS 630.305(1)(e).

5 6. That the allegations of Count Four of the complaint have been proven
6 by a preponderance of the evidence, that Dr. Murray delegated the responsibility for
7 the care of a patient - Patient B - to a person who Dr. Murray knew, or had reason to
8 know, was not qualified to undertake that responsibility, a violation of the provisions
9 of NRS 630.305(1)(f).

10 7. That the allegations of Count Five of the complaint have been proven
11 by a preponderance of the evidence, that Dr. Murray received from William J. Leavitt,
12 Jr., compensation by way of a fee, commission, or rebate of a percentage of the
13 monies received from Patient B for services rendered by William J. Leavitt, Jr., which
14 tended to influence Dr. Murray's objective evaluation or treatment of Patient B, a
15 violation of the provisions of NRS 630.305(1)(a).

16 8. That the allegations of Count Six of the complaint have been proven by
17 a preponderance of the evidence, that the plan, scheme, or method of operation
18 established by Dr. Murray and William J. Leavitt, Jr., which resulted in the financial
19 arrangement and conflict of interest Dr. Murray had in his treatment of Patient B was
20 never disclosed to Patient B by Dr. Murray, a violation of the provisions of NRS
21 630.305(1)(g).

22 9. That the allegations of Count Seven of the complaint have been proven
23 by a preponderance of the evidence, that the medical records on Patient B fail to
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1 show what diagnosis, treatment, or care Dr. Murray was providing to Patient B, a
2 violation of the provisions of NRS 630.3062(1).

3 10. That the allegations of Count Eight of the complaint have been proven
4 by a preponderance of the evidence, that Dr. Murray aided and assisted an
5 unlicensed person to practice medicine in the state of Nevada on Patient C, a patient
6 of Dr. Murray, a violation of the provisions of NRS 630.305(1)(e).

7 11. That the allegations of Count Nine of the complaint have been proven
8 by a preponderance of the evidence, that Dr. Murray delegated the responsibility for
9 the care of a patient – Patient C – to a person who Dr. Murray knew, or had reason to
10 know, was not qualified to undertake that responsibility, a violation of the provisions
11 of NRS 630.305(1)(f).

12 12. That the allegations of Count Ten of the complaint have been proven by
13 a preponderance of the evidence, that Dr. Murray received from William J. Leavitt,
14 Jr., compensation by way of a fee, commission, or rebate of a percentage of the
15 monies received from Patient C for services rendered by William J. Leavitt, Jr., which
16 tended to influence Dr. Murray's objective evaluation or treatment of Patient C, a
17 violation of the provisions of NRS 630.305(1)(a).

18 13. That the allegations of Count Eleven of the complaint have been proven
19 by a preponderance of the evidence, that the plan, scheme, or method of operation
20 established by Dr. Murray and William J. Leavitt, Jr., which resulted in the financial
21 arrangement and conflict of interest Dr. Murray had in his treatment of Patient C was
22 never disclosed to Patient C by Dr. Murray, a violation of the provisions of NRS
23 630.305(1)(g).
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1 14. That the allegations of Count Twelve of the complaint have been
2 proven by a preponderance of the evidence, that the medical records on Patient C
3 fail to show what diagnosis, treatment, or care Dr. Murray was providing to Patient C,
4 a violation of the provisions of NRS 630.3062(1).

5 15. That the allegations of Count Thirteen of the complaint have been
6 proven by a preponderance of the evidence, that Dr. Murray aided and assisted an
7 unlicensed person to practice medicine in the state of Nevada on Patient D, a patient
8 of Dr. Murray, a violation of the provisions of NRS 630.305(1)(e).

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10 16. That the allegations of Count Fourteen of the complaint have been
11 proven by a preponderance of the evidence, that Dr. Murray delegated the
12 responsibility for the care of a patient – Patient D – to a person who Dr. Murray knew,
13 or had reason to know, was not qualified to undertake that responsibility, a violation
14 of the provisions of NRS 630.305(1)(f).

15 17. That the allegations of Count Fifteen of the complaint have been proven
16 by a preponderance of the evidence, that Dr. Murray received from William J. Leavitt,
17 Jr., compensation by way of a fee, commission, or rebate of a percentage of the
18 monies received from Patient D for services rendered by William J. Leavitt, Jr., which
19 tended to influence Dr. Murray's objective evaluation or treatment of Patient D, a
20 violation of the provisions of NRS 630.305(1)(a).

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22 18. That the allegations of Count Sixteen of the complaint have been
23 proven by a preponderance of the evidence, that the plan, scheme, or method of
24 operation established by Dr. Murray and William J. Leavitt, Jr., which resulted in the
25 financial arrangement and conflict of interest Dr. Murray had in his treatment of

1 Patient D was never disclosed to Patient D by Dr. Murray, a violation of the
2 provisions of NRS 630.305(1)(g).

3 19. That the allegations of Count Seventeen of the complaint have been
4 proven by a preponderance of the evidence, that the medical records on Patient D
5 fail to show what diagnosis, treatment, or care Dr. Murray was providing to Patient D,
6 a violation of the provisions of NRS 630.3062(1).

7 20. That the allegations of Count Eighteen of the complaint have been
8 proven by a preponderance of the evidence, that Dr. Murray aided and assisted an
9 unlicensed person to practice medicine in the state of Nevada on Patient E, a patient
10 of Dr. Murray, a violation of the provisions of NRS 630.305(1)(e).

11 21. That the allegations of Count Nineteen of the complaint have been
12 proven by a preponderance of the evidence, that Dr. Murray delegated the
13 responsibility for the care of a patient – Patient E – to a person who Dr. Murray knew,
14 or had reason to know, was not qualified to undertake that responsibility, a violation
15 of the provisions of NRS 630.305(1)(f).

16 22. That the allegations of Count Twenty of the complaint have been
17 proven by a preponderance of the evidence, that the medical records on Patient E
18 fail to show what diagnosis, treatment, or care Dr. Murray was providing to Patient E,
19 a violation of the provisions of NRS 630.3062(1).

20 23. That the allegations of Count Twenty-One of the complaint have been
21 proven by a preponderance of the evidence, that Dr. Murray aided and assisted an
22 unlicensed person to practice medicine in the state of Nevada on Patient F, a patient
23 of Dr. Murray, a violation of the provisions of NRS 630.305(1)(e).
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1 24. That the allegations of Count Twenty-Two of the complaint have been
2 proven by a preponderance of the evidence, that Dr. Murray delegated the
3 responsibility for the care of a patient – Patient F – to a person who Dr. Murray,
4 knew, or had reason to know, was not qualified to undertake that responsibility, a
5 violation of the provisions of NRS 630.305(1)(f).

6 25. That the allegations of Count Twenty-Three of the complaint have been
7 proven by a preponderance of the evidence, that Dr. Murray received from William J.
8 Leavitt, Jr., compensation by way of a fee, commission, or rebate of a percentage of
9 the monies received from Patient F for services rendered by William J. Leavitt, Jr.,
10 which tended to influence Dr. Murray's objective evaluation or treatment of Patient F,
11 a violation of the provisions of NRS 630.305(1)(a).

12 26. That the allegations of Count Twenty-Four of the complaint have been
13 proven by a preponderance of the evidence, that the plan, scheme, or method of
14 operation established by Dr Murray and William J. Leavitt, Jr., which resulted in the
15 financial arrangement and conflict of interest Dr. Murray had in his treatment of
16 Patient F was never disclosed to Patient F by Dr. Murray, a violation of the provisions
17 of NRS 630.305(1)(g).

18 27. That the allegations of Count Twenty-Five of the complaint have been
19 proven by a preponderance of the evidence, that the medical records on Patient F fail
20 to show what diagnosis, treatment, or care Dr Murray was providing to Patient F, a
21 violation of the provisions of NRS 630.3062(1).

22 28. That the allegations of Count Twenty-Six of the complaint have been
23 proven by a preponderance of the evidence, that Dr. Murray aided and assisted an
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1 unlicensed person to practice medicine in the state of Nevada on Patient G, a patient
2 of Dr. Murray, a violation of the provisions of NRS 630.305(1)(e).

3 29. That the allegations of Count Twenty-Seven of the complaint have been
4 proven by a preponderance of the evidence, that Dr. Murray delegated the
5 responsibility for the care of a patient – Patient G – to a person who Dr. Murray knew,
6 or had reason to know, was not qualified to undertake that responsibility, a violation
7 of the provisions of NRS 630.305(1)(f).

8 30. That the allegations of Count Twenty-Eight of the complaint have been
9 proven by a preponderance of the evidence, that the medical records on Patient G
10 fail to show what diagnosis, treatment, or care Dr. Murray was providing to Patient G,
11 a violation of the provisions of NRS 630.3062(1).

12 31. That the allegations of Count Twenty-Nine of the complaint have been
13 proven by a preponderance of the evidence, that Dr. Murray aided and assisted an
14 unlicensed person to practice medicine in the state of Nevada on Patient H, a patient
15 of Dr. Murray, a violation of the provisions of NRS 630.305(1)(e).

16 32. That the allegations of Count Thirty of the complaint have been proven
17 by a preponderance of the evidence, that Dr. Murray delegated the responsibility for
18 the care of a patient – Patient H – to a person who Dr. Murray knew, or had reason to
19 know, was not qualified to undertake that responsibility, a violation of the provisions
20 of NRS 630.305(1)(f).

21 33. That the allegations of Count Thirty-One of the complaint have been
22 proven by a preponderance of the evidence, that Dr. Murray received from William J.
23 Leavitt, Jr., compensation by way of a fee, commission, or rebate of a percentage of
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1 the monies received from Patient H for services rendered by William J. Leavitt, Jr.,
2 which tended to influence Dr. Murray's objective evaluation or treatment of Patient H,
3 a violation of the provisions of NRS 630.305(1)(a).

4 34. That the allegations of Count Thirty-Two of the complaint have been
5 proven by a preponderance of the evidence, that the plan, scheme, or method of
6 operation established by Dr. Murray and William J. Leavitt, Jr., which resulted in the
7 financial arrangement and conflict of interest Dr. Murray had in his treatment of
8 Patient H was never disclosed to Patient H by Dr. Murray, a violation of the
9 provisions of NRS 630.305(1)(g).

10 35. That the allegations of Count Thirty-Three of the complaint have been
11 proven by a preponderance of the evidence, that the medical records of Patient H fail
12 to show what diagnosis, treatment, or care Dr. Murray was providing to Patient H, a
13 violation of the provisions of NRS 630.3062(1).

14 36. That the allegations of Count Thirty-Four of the complaint have been
15 proven by a preponderance of the evidence, that Dr. Murray aided and assisted an
16 unlicensed person to practice medicine in the state of Nevada on Patient I, a patient
17 of Dr. Murray, a violation of the provisions of NRS 630.305(1)(e).

18 37. That the allegations of Count Thirty-Five of the complaint have been
19 proven by a preponderance of the evidence, that Dr. Murray delegated the
20 responsibility for the care of a patient – Patient I – to a person who Dr. Murray knew,
21 or had reason to know, was not qualified to undertake that responsibility, a violation
22 of the provisions of NRS 630.305(1)(f).
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1 38. That the allegations of Count Thirty-Six of the complaint have been
2 proven by a preponderance of the evidence, that Dr. Murray received from William J.
3 Leavitt, Jr., compensation by way of a fee, commission, or rebate of a percentage of
4 the monies received from Patient I for services rendered by William J. Leavitt, Jr.,
5 which tended to influence Dr. Murray's objective evaluation or treatment of Patient I,
6 a violation of the provisions of NRS 630.305(1)(a).

7 39. That the allegations of Count Thirty-Seven of the complaint have been
8 proven by a preponderance of the evidence, that the plan, scheme, or method of
9 operation established by Dr. Murray and William J. Leavitt, Jr., which resulted in the
10 financial arrangement and conflict of interest Dr. Murray had in his treatment of
11 Patient I was never disclosed to Patient I by Dr. Murray, a violation of the provisions
12 of NRS 630.305(1)(g).

13 40. That the allegations of Count Thirty-Eight of the complaint have been
14 proven by a preponderance of the evidence, that the medical records of Patient I fail
15 to show what diagnosis, treatment, or care Dr. Murray was providing to Patient I, a
16 violation of the provisions of NRS 630.3062(1).

17 41. That the allegations of Count Thirty-Nine of the complaint have been
18 proven by a preponderance of the evidence, that Dr. Murray aided and assisted an
19 unlicensed person to practice medicine in the state of Nevada on Patient J, a patient
20 of Dr. Murray, a violation of the provisions of NRS 630.305(1)(e).

21 42. That the allegations of Count Forty of the complaint have been proven
22 by a preponderance of the evidence, that Dr. Murray delegated the responsibility for
23 the care of a patient – Patient J – to a person who Dr. Murray knew, or had reason to
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1 know, was not qualified to undertake that responsibility, a violation of the provisions
2 of NRS 630.305(1)(f).

3 43. That the allegations of Count Forty-One of the complaint have been
4 proven by a preponderance of the evidence, that Dr. Murray received from William J.
5 Leavitt, Jr., compensation by way of a fee, commission, or rebate of a percentage of
6 the monies received from Patient J for services rendered by William J. Leavitt, Jr.,
7 which tended to influence Dr. Murray's objective evaluation or treatment of Patient J,
8 a violation of the provisions of NRS 630.305(1)(a).

9 44. That the allegations of Count Forty-Two of the complaint have been
10 proven by a preponderance of the evidence, that the plan, scheme, or method of
11 operation established by Dr. Murray and William J. Leavitt, Jr., which resulted in the
12 financial arrangement and conflict of interest Dr. Murray had in his treatment of
13 Patient J was never disclosed to Patient J by Dr. Murray, a violation of the provisions
14 of NRS 630.305(1)(g).

15 45. That the allegations of Count Forty-Three of the complaint have been
16 proven by a preponderance of the evidence, that the medical records on Patient J fail
17 to show what diagnosis, treatment, or care Dr. Murray was providing to Patient J, a
18 violation of the provisions of NRS 630.3062(1).

19 46. That the allegations of Count Forty-Four of the complaint have been
20 proven by a preponderance of the evidence, that Dr. Murray aided and assisted an
21 unlicensed person to practice medicine in the state of Nevada on Patient K, a patient
22 of Dr. Murray, a violation of the provisions of NRS 630.305(1)(e).
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1 47. That the allegations of Count Forty-Five of the complaint have been proven by
2 a preponderance of the evidence, that Dr. Murray delegated the responsibility for the
3 care of a patient – Patient K – to a person who Dr. Murray knew, or had reason to
4 know, was not qualified to undertake that responsibility, a violation of the provisions
5 of NRS 630.305(1)(f).

6 48. That the allegations of Count Forty-Six of the complaint have been
7 proven by a preponderance of the evidence, that Dr. Murray received from William J.
8 Leavitt, Jr., compensation by way of a fee, commission, or rebate of a percentage of
9 the monies received from Patient K for services rendered by William J. Leavitt, Jr.,
10 which tended to influence Dr. Murray's objective evaluation or treatment of Patient K,
11 a violation of the provisions of NRS 630.305(1)(a).

12 49. That the allegations of Count Forty-Seven of the complaint have been
13 proven by a preponderance of the evidence, that the plan, scheme, or method of
14 operation established by Dr. Murray and William J. Leavitt, Jr., which resulted in the
15 financial arrangement and conflict of interest Dr. Murray had in his treatment of
16 Patient K was never disclosed to Patient K by Dr. Murray, a violation of the provisions
17 of NRS 630.305(1)(g).

18 50. That the allegations of Count Forty-Eight of the complaint have been
19 proven by a preponderance of the evidence, that the medical records on Patient K
20 fail to show what diagnosis, treatment, or care Dr. Murray was providing to Patient K,
21 a violation of the provisions of NRS 630.3062(1).

22 51. That the allegations of Count Forty-Nine of the complaint have been
23 proven by a preponderance of the evidence, that Dr. Murray aided and assisted an
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1 unlicensed person to practice medicine in the state of Nevada on Patient L, a patient
2 of Dr. Murray, a violation of the provisions of NRS 630.305(1)(e).

3 52. That the allegations of Count Fifty of the complaint have been proven
4 by a preponderance of the evidence, that Dr Murray delegated the responsibility for
5 the care of a patient – Patient L – to a person who Dr. Murray knew, or had reason to
6 know, was not qualified to undertake that responsibility, a violation of the provisions
7 of NRS 630.305(1)(f).

8 53. That the allegations of Count Fifty-One of the complaint have been
9 proven by a preponderance of the evidence, that the medical records of Patient L fail
10 to show what diagnosis, treatment, or care Dr. Murray was providing to Patient L, a
11 violation of the provisions of NRS 630.3062(1).

12 54. That the allegations of Count Fifty-Two of the complaint have been
13 proven by a preponderance of the evidence, that Dr. Murray aided and assisted an
14 unlicensed person to practice medicine in the state of Nevada on Patient M, a patient
15 of Dr. Murray, a violation of the provisions of NRS 630.305(1)(e).

16 55. That the allegations of Count Fifty-Three of the complaint have been
17 proven by a preponderance of the evidence, that Dr. Murray delegated the
18 responsibility for the care of a patient – Patient M – to a person who Dr. Murray knew,
19 or had reason to know, was not qualified to undertake that responsibility, a violation
20 of the provisions of NRS 630.305(1)(f).

21 56. That the allegations of Count Fifty-Four of the complaint have been
22 proven by a preponderance of the evidence, that the medical records on Patient M
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1 fail to show what diagnosis, treatment, or care Dr. Murray was providing to Patient M,
2 a violation of the provisions of NRS 630.3062(1).

3 57. That the allegations of Count Fifty-Five of the complaint have been
4 proven by a preponderance of the evidence, that Dr. Murray aided and assisted an
5 unlicensed person to practice medicine in the state of Nevada on Patient N, a patient
6 of Dr. Murray, a violation of the provisions of NRS 630.305(1)(e).

7 58. That the allegations of Count Fifty-Six of the complaint have been
8 proven by a preponderance of the evidence, that Dr. Murray delegated the
9 responsibility for the care of a patient – Patient N – to a person who Dr. Murray knew,
10 or had reason to know, was not qualified to undertake that responsibility, a violation
11 of the provisions of NRS 630.305(1)(f).

12 59. That the allegations of Count Fifty-Seven of the complaint have been
13 proven by a preponderance of the evidence, that Dr. Murray received from William J.
14 Leavitt, Jr., compensation by way of a fee, commission, or rebate of a percentage of
15 the monies received from Patient N for services rendered by William J. Leavitt, Jr.,
16 which tended to influence Dr. Murray's objective evaluation or treatment of Patient N,
17 a violation of the provisions of NRS 630.305(1)(a).

18 60. That the allegations of Count Fifty-Eight of the complaint have been
19 proven by a preponderance of the evidence, that the plan, scheme, or method of
20 operation established by Dr. Murray and William J. Leavitt, Jr., which resulted in the
21 financial arrangement and conflict of interest Dr. Murray had in his treatment of
22 Patient N was never disclosed to Patient N by Dr. Murray, a violation of the
23 provisions of NRS 630.305(1)(g).

61. That the allegations of Count Fifty-Nine of the complaint have been proven by a preponderance of the evidence, that the medical records on Patient N fail to show what diagnosis, treatment, or care Dr. Murray was providing to Patient N, a violation of the provisions of NRS 630.3062(1).

62. If any of the foregoing Findings of Fact is more properly deemed a Conclusion of Law, it may be so construed.

CONCLUSIONS OF LAW

1. The Board has jurisdiction over Respondent.

2. Respondent was properly served with notice of hearing before a Hearing officer of the Board.

3. Dr. Murray has violated the provisions of NRS 630.305(1)(e), by aiding and assisting an unlicensed person to practice medicine in the state of Nevada on a patient of Dr. Murray – Patient A.

4. Dr. Murray has violated the provisions of NRS 630.305(1)(f), by delegating the responsibility for the care of a patient – Patient A – to a person who Dr. Murray knew or had reason to know was not qualified to undertake that responsibility.

5. Dr. Murray has violated the provisions of NRS 630.305(1)(e), by aiding and assisting an unlicensed person to practice medicine in the state of Nevada on a patient of Dr. Murray – Patient B.

6. Dr. Murray has violated the provisions of NRS 630.305(1)(f), by delegating the responsibility for the care of a patient – Patient B – to a person who

1 Dr. Murray knew or had reason to know was not qualified to undertake that
2 responsibility.

3 7. Dr. Murray has violated the provisions of NRS 630.305(1)(a), by
4 receiving compensation by way of a fee, commission, or rebate of a percentage of
5 monies received from a patient – Patient B – for services rendered by William A.
6 Leavitt, Jr., which tended to influence Dr. Murray's objective evaluation or treatment
7 of Patient B.

8 8. Dr. Murray has violated the provisions of NRS 630.305(1)(g), by
9 engaging in a plan, scheme, or method of operation which resulted in a financial
10 arrangement and conflict of interest Dr. Murray had in his treatment of Patient B,
11 which arrangement was never disclosed to Patient B by Dr. Murray.

12 9. Dr. Murray has violated the provisions of NRS 630.3062(1), by failing to
13 maintain medical records that show what diagnosis, treatment, or care Dr. Murray
14 was providing to Patient B.

15 10. Dr. Murray has violated the provisions of NRS 630.305(1)(e), by aiding
16 and assisting an unlicensed person to practice medicine in the state of Nevada on a
17 patient of Dr. Murray – Patient C.

18 11. Dr. Murray has violated the provisions of NRS 630.305(1)(f), by
19 delegating the responsibility for the care of a patient – Patient C – to a person who
20 Dr. Murray knew or had reason to know was not qualified to undertake that
21 responsibility.

22 12. Dr. Murray has violated the provisions of NRS 630.305(1)(a), by
23 receiving compensation by way of a fee, commission, or rebate of a percentage of
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1 monies received from a patient – Patient C – for services rendered by William A.
2 Leavitt, Jr., which tended to influence Dr. Murray's objective evaluation or treatment
3 of Patient C.

4 13. Dr. Murray has violated the provisions of NRS 630.305(1)(g), by
5 engaging in a plan, scheme, or method of operation which resulted in a financial
6 arrangement and conflict of interest Dr. Murray had in his treatment of Patient C,
7 which arrangement was never disclosed to Patient C by Dr. Murray.

8 14. Dr. Murray has violated the provisions of NRS 630.3062(1), by failing to
9 maintain medical records that show what diagnosis, treatment, or care Dr. Murray
10 was providing to Patient C.

11 15. Dr. Murray has violated the provisions of NRS 630.305(1)(e), by aiding
12 and assisting an unlicensed person to practice medicine in the state of Nevada on a
13 patient of Dr. Murray – Patient D.

14 16. Dr. Murray has violated the provisions of NRS 630.305(1)(f), by
15 delegating the responsibility for the care of a patient – Patient D – to a person who
16 Dr. Murray knew or had reason to know was not qualified to undertake that
17 responsibility.

18 17. Dr. Murray has violated the provisions of NRS 630.305(1)(a), by
19 receiving compensation by way of a fee, commission, or rebate of a percentage of
20 monies received from a patient – Patient D – for services rendered by William A.
21 Leavitt, J r., which tended to influence Dr. Murray's objective evaluation or treatment
22 of Patient D.
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1 18. Dr. Murray has violated the provisions of NRS 630.305(1)(g), by
2 engaging in a plan, scheme, or method of operation which resulted in a financial
3 arrangement and conflict of interest Dr. Murray had in his treatment of Patient D,
4 which arrangement was never disclosed to Patient D by Dr. Murray.

5 19. Dr. Murray has violated the provisions of NRS 630.3062(1), by failing to
6 maintain medical records that show what diagnosis, treatment, or care Dr. Murray
7 was providing to Patient D.

8 20. Dr. Murray has violated the provisions of NRS 630.305(1)(e), by aiding
9 and assisting an unlicensed person to practice medicine in the state of Nevada on a
10 patient of Dr. Murray – Patient E.

11 21. Dr. Murray has violated the provisions of NRS 630.305(1)(f), by
12 delegating the responsibility for the care of a patient – Patient E – to a person who
13 Dr. Murray knew or had reason to know was not qualified to undertake that
14 responsibility.

15 22. Dr. Murray has violated the provisions of NRS 630.3062(1), by failing to
16 maintain medical records that show what diagnosis, treatment, or care Dr. Murray
17 was providing to Patient E.

18 23. Dr. Murray has violated the provisions of NRS 630.305(1)(e), by aiding
19 and assisting an unlicensed person to practice medicine in the state of Nevada on a
20 patient of Dr. Murray – Patient F.

21 24. Dr. Murray has violated the provisions of NRS 630.305(1)(f), by
22 delegating the responsibility for the care of a patient – Patient F – to a person who
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1 Dr. Murray knew or had reason to know was not qualified to undertake that
2 responsibility.

3 25. Dr. Murray has violated the provisions of NRS 630.305(1)(a), by
4 receiving compensation by way of a fee, commission, or rebate of a percentage of
5 monies received from a patient – Patient F – for services rendered by William A.
6 Leavitt, Jr., which tended to influence Dr. Murray's objective evaluation or treatment
7 of Patient F.
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9 26. Dr. Murray has violated the provisions of NRS 630.305(1)(g), by
10 engaging in a plan, scheme, or method of operation which resulted in a financial
11 arrangement and conflict of interest Dr. Murray had in his treatment of Patient F,
12 which arrangement was never disclosed to Patient F by Dr. Murray.

13 27. Dr. Murray has violated the provisions of NRS 630.3062(1), by failing to
14 maintain medical records that show what diagnosis, treatment, or care Dr. Murray
15 was providing to Patient F.

16 28. Dr. Murray has violated the provisions of NRS 630.305(1)(e), by aiding
17 and assisting an unlicensed person to practice medicine in the state of Nevada on a
18 patient of Dr. Murray – Patient G.
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20 29. Dr. Murray has violated the provisions of NRS 630.305(1)(f), by
21 delegating the responsibility for the care of a patient – Patient G – to a person who
22 Dr. Murray knew or had reason to know was not qualified to undertake that
23 responsibility.
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1 30. Dr. Murray has violated the provisions of NRS 630.3062(1), by failing to
2 maintain medical records that show what diagnosis, treatment, or care Dr. Murray
3 was providing to Patient G.

4 31. Dr. Murray has violated the provisions of NRS 630.305(1)(e), by aiding
5 and assisting an unlicensed person to practice medicine in the state of Nevada on a
6 patient of Dr. Murray – Patient H.

7 32. Dr. has violated the provisions of NRS 630.305(1)(f), by delegating the
8 responsibility for the care of a patient – Patient H – to a person who Dr. Murray knew
9 or had had reason to know as not qualified to undertake that responsibility.

10 33. Dr. Murray has violated the provisions of NRS 630.305(1)(a), by
11 receiving compensation by way of a fee, commission, or rebate of a percentage of
12 monies received from a patient – Patient H – for services rendered by William A.
13 Leavitt, Jr., which tended to influence Dr. Murray's objective evaluation or treatment
14 of Patient H.

15 34. Dr. Murray has violated the provisions of NRS 630.305(1)(g), by
16 engaging in a plan, scheme, or method of operation which resulted in a financial
17 arrangement and conflict of interest Dr. Murray had in his treatment of Patient H,
18 which arrangement was never disclosed to Patient H by Dr. Murray.

19 35. Dr. Murray has violated the provisions of NRS 630.3062(1), by failing to
20 maintain medical records that show what diagnosis, treatment, or care Dr. Murray
21 was providing to Patient H.
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1 36. Dr. Murray has violated the provisions of NRS 630.305(1)(e), by aiding
2 and assisting an unlicensed person to practice medicine in the state of Nevada on a
3 patient of Dr. Murray – Patient I.

4 37. Dr. Murray has violated the provisions of NRS 630.305(1)(f), by
5 delegating the responsibility for the care of a patient – Patient I – to a person who Dr.
6 Murray knew or had reason to know was not qualified to undertake that responsibility.

7 38. Dr. Murray has violated the provisions of NRS 630.305(1)(a), by
8 receiving compensation by way of a fee, commission, or rebate of a percentage of
9 monies received from a patient – Patient I – for services rendered by William A.
10 Leavitt, Jr., which tended to influence Dr. Murray's objective evaluation or treatment
11 of Patient I.
12

13 39. Dr. Murray has violated the provisions of NRS 630.305(1)(g), by
14 engaging in a plan, scheme, or method of operation which resulted in a financial
15 arrangement and conflict of interest Dr. Murray had in his treatment of Patient I,
16 which arrangement was never disclosed to Patient I by Dr. Murray.

17 40. Dr. Murray has violated the provisions of NRS 630.3062(1), by failing to
18 maintain medical records that show what diagnosis, treatment, or care Dr. Murray
19 was providing to Patient I.
20

21 41. Dr. Murray has violated the provisions of NRS 630.305(1)(e), by aiding
22 and assisting an unlicensed person to practice medicine in the state of Nevada on a
23 patient of Dr. Murray – Patient J.
24
25

1 42. Dr. Murray has violated the provisions of NRS 630.305(1)(f), by
2 delegating the responsibility for the care of a patient – Patient J – to a person who Dr.
3 Murray knew or had reason to know was not qualified to undertake that responsibility.

4 43. Dr. Murray has violated the provisions of NRS 630.305(1)(a), by
5 receiving compensation by way of a fee, commission, or rebate of a percentage of
6 monies received from a patient – Patient J – for services rendered by William J.
7 Leavitt, Jr., which tended to influence Dr. Murray's objective evaluation or treatment
8 of Patient J.

9 44. Dr. Murray has violated the provisions of NRS 630.305(1)(g), by
10 engaging in a plan, scheme, or method of operation which resulted in a financial
11 arrangement and conflict of interest Dr Murray had in his treatment of Patient J,
12 which arrangement was never disclosed to Patient J by Dr. Murray.

13 45. Dr. Murray has violated the provisions of NRS 630.3062(1), by failing to
14 maintain medical records that show what diagnosis, treatment, or care Dr. Murray
15 was providing to Patient J.

16 46. Dr. Murray has violated the provisions of NRS 630.305(1)(e), by aiding
17 and assisting an unlicensed person to practice medicine in the state of Nevada on a
18 patient of Dr. Murray – Patient K.

19 47. Dr. Murray has violated the provisions of NRS 630.305(1)(f), by
20 delegating the responsibility for the care of a patient – Patient K – to a person who
21 Dr. Murray knew or had reason to know was not qualified to undertake that
22 responsibility.
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1 48. Dr. Murray has violated the provisions of NRS 630.305(1)(a), by
2 receiving compensation by way of a fee, commission, or rebate of a percentage of
3 monies received from a patient – Patient K – for services rendered by William A.
4 Leavitt, Jr., which tended to influence Dr. Murray's objective evaluation or treatment
5 of Patient K.

6 49. Dr. Murray has violated the provisions of NRS 630.305(1)(g), by
7 engaging in a plan, scheme, or method of operation which resulted in a financial
8 arrangement and conflict of interest Dr. Murray had in his treatment of Patient K,
9 which arrangement was never disclosed to Patient K by Dr. Murray.
10

11 50. Dr. Murray has violated the provisions of NRS 630.3062(1), by failing to
12 maintain medical records that show what diagnosis, treatment, or care Dr Murray was
13 providing to Patient K.

14 51. Dr. Murray has violated the provisions of NRS 630.305(1)(e), by aiding
15 and assisting an unlicensed person to practice medicine in the state of Nevada on a
16 patient of Dr. Murray – Patient L.

17 52. Dr. Murray has violated the provisions of NRS 630.305(1)(f), by
18 delegating the responsibility for the care of a patient – Patient L – to a person who
19 Dr. Murray knew or had reason to know was not qualified to undertake that
20 responsibility.
21

22 53. Dr. Murray has violated the provisions of NRS 630.3062(1), by failing to
23 maintain medical records that show what diagnosis, treatment, or care Dr. Murray
24 was providing to Patient L.
25

1 54. Dr. Murray has violated the provisions of NRS 630.305(1)(e), by aiding
2 and assisting an unlicensed person to practice medicine in the state of Nevada on a
3 patient of Dr. Murray – Patient M.

4 55. Dr. Murray has violated the provisions of NRS 630.305(1)(f), by
5 delegating the responsibility for the care of a patient – Patient M – to a person who
6 Dr. Murray knew or had reason to know was not qualified to undertake that
7 responsibility.
8

9 56. Dr. Murray has violated the provisions of NRS 630.3062(1), by failing to
10 maintain records that show what diagnosis, treatment, or care Dr. Murray was
11 providing to Patient M.

12 57. Dr. Murray has violated the provisions of NRS 630.305(1)(e), by aiding
13 and assisting an unlicensed person to practice medicine in the state of Nevada on a
14 patient of Dr. Murray – Patient N.

15 58. Dr. Murray has violated the provisions of NRS 630.305(1)(f), by
16 delegating the responsibility for the care of a patient – Patient N – to a person who
17 Dr. Murray knew or had reason to know was not qualified to undertake that
18 responsibility.
19

20 59. Dr. Murray has violated the provisions of NRS 630.305(1)(a), by
21 receiving compensation by way of a fee, commission, or rebate of a percentage of
22 monies received from a patient – Patient N – for services rendered by William A.
23 Leavitt, Jr., which tended to influence Dr. Murray's objective evaluation or treatment
24 of Patient N.
25

1 60. Dr. Murray has violated the provisions of NRS 630.305(1)(g), by
2 engaging in a plan, scheme, or method of operation which resulted in a financial
3 arrangement and conflict of interest Dr. Murray had in his treatment of Patient N,
4 which arrangement was never disclosed to Patient N by Dr. Murray.

5 61. Dr. Murray has violated the provisions of NRS 630.3062(1), by failing to
6 maintain medical records that show what diagnosis, treatment, or care Dr. Murray
7 was providing to Patient N.

8 62. Dr. Murray is **Guilty of Fourteen (14) Counts** of aiding and assisting
9 an unlicensed person to practice medicine in the state of Nevada as alleged in
10 Counts One (1), Three (3), Eight (8), Thirteen (13), Eighteen (18), Twenty-One (21),
11 Twenty-Six (26), Twenty-Nine (29), Thirty-Four (34), Thirty-Nine (39), Forty-Four (44),
12 Forty-Nine (49), Fifty-Two (52) and Fifty-Five (55) of the Complaint.

13 63. Dr. Murray is **Guilty of Fourteen (14) Counts** of delegating the
14 responsibility for the care of a patient to a person who he knew or had reason to
15 know was not qualified to undertake that responsibility as alleged in Counts Two (2),
16 Four (4), Nine (9), Fourteen (14), Nineteen (19), Twenty-Two (22), Twenty-Seven
17 (27), Thirty (30), Thirty-Five (35), Forty (40), Forty-Five (45), Fifty (50), Fifty-Three
18 (53), and Fifty-Six (56) of the Complaint.

19 64. Dr. Murray is **Guilty of Nine (9) Counts** of receiving compensation by
20 way of a fee, commission, or rebate of a percentage of the monies received from a
21 patient for services rendered by another which tended to influence Dr. Murray's
22 objective evaluation of a patient as alleged in Counts Five (5), Ten (10), Fifteen (15),
23
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1 Twenty-Three (23), Thirty-One (31), Thirty-Six (36), Forty-One (41), Forty-Six (46),
2 and Fifty-Seven (57) of the Complaint.

3 65. Dr. Murray is **Guilty of Nine (9) Counts** of engaging in a plan, scheme,
4 or method of operation established by Dr. Murray and William J. Leavitt, Jr., which
5 resulted in the financial arrangement and conflict of interest Dr. Murray had in his
6 treatment of his patients as alleged in Counts Six (6), Eleven (11), Sixteen (16),
7 Twenty-Four (24), Thirty-Two (32), Thirty-Seven (37), Forty-Two (42), Forty-Seven
8 (47), and Fifty-Eight (58) of the Complaint.

9 66. Dr. Murray is **Guilty of Thirteen (13) Counts** of failure to maintain
10 medical records on patients to show what diagnosis, treatment, or care Dr. Murray
11 was providing to the patients as alleged in Counts Seven (7), Twelve (12), Seventeen
12 (17), Twenty (20), Twenty-Five (25), Twenty-Eight (28), Thirty-Three (33), Thirty-
13 Eight (38), Forty-Three (43), Forty-Eight (48), Fifty-One (51), Fifty-Four (54) and Fifty-
14 Nine (59) of the Complaint.

15 67. If any of the foregoing Conclusions of Law is more properly deemed a
16 Finding of Fact, it may be so construed.

17 ORDER

18
19 Based upon the foregoing Findings of Fact and Conclusions of Law, and good
20 cause appearing therefore,
21

22 IT IS HEREBY ORDERED THAT:

23 RESPONDENT WILLIAM O. MURRAY, M.D.'s license to practice
24 medicine in the state of Nevada is REVOKED.
25

1 RESPONDENT WILLIAM O. MURRAY, M.D., is fined a total of FIVE
2 THOUSAND DOLLARS (\$5,000.00) on all Fifty-Nine (59) counts for which he has
3 been found GUILTY.

4 RESPONDENT WILLIAM O. MURRAY, M.D., is ordered to pay to the
5 Board the sum of NINETEEN THOUSAND SIX HUNDRED THIRTY-SEVEN
6 DOLLARS AND TEN CENTS (\$19,637.10) as and for the Board's costs of
7 investigation and prosecution of this matter.

8 DATED THIS 20th day of December, 1999.

9
10 NEVADA STATE BOARD OF MEDICAL EXAMINERS

11
12 By: 

13 ARNE D. ROSENCRANTZ, President
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CERTIFICATION

I hereby certify that the foregoing is the full and true original FINDINGS OF FACT, CONCLUSIONS OF LAW and ORDER on file in the office of the Nevada State Board of Medical Examiners in the matter of WILLIAM O. MURRAY, M.D., Case No. 99-9170-1.

I further certify that ARNE D. ROSENCRANTZ, is the President of the Nevada State Board of Medical Examiners and that full force and credit is due to his official acts as such; that the signature to the foregoing FINDINGS OF FACT, CONCLUSIONS OF LAW and ORDER is the genuine signature of said ARNE D. ROSENCRANTZ.

IN WITNESS THEREOF, I have hereunto set my hand in my official capacity as Secretary-Treasurer of the Nevada State Board of Medical Examiners.

DATED this 24th day of December, 1999.

Paul A. Stewart, M.D.

PAUL A. STEWART, M.D.,
Secretary-Treasurer
Nevada State Board of Medical Examiners

STATE OF NEVADA
BOARD OF MEDICAL EXAMINERS
I, Larry D. Lessly, Official Custodian of the
records, do hereby certify that this document
is a true and correct copy of the original on
file in this office.

Signed: [Signature]

Executive Director

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Date: 9 March 2000