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NEVADA STATE HEALTH DIVISION NEWS RELEASE

HEALTH DIVISION ISSUES CEASE and DESIST ORDERS to TWO LAS VEGAS BUSINESSES PERFORMING UNLICENSED SURGERIES

(Carson City, NV) – The Nevada State Health Division's Bureau of Health Care Quality and Compliance today delivered cease and desist letters to two Las Vegas retail businesses believed to be operating as illegal and unlicensed surgical centers. The letters were delivered to Botanica Maya at 5347 E. Lake Mead Blvd. #B and Botanica San Francisco at 2645 S. Nellis Blvd. #D.

Information obtained from a victim of a botched surgery at Botanica Maya, as well as medical waste found in the facility and in a trash bin behind the business, led to the actions by the Bureau, which was first notified of the alleged activities Thursday, June 25, 2009.

The two businesses were ordered to stop operating as unlicensed, illegal ambulatory surgical centers. Both businesses are licensed as health food and vitamin stores by Clark County. Injunctions will now be sought to permanently prohibit the illegal practice of medicine at the two businesses.

The Health Division coordinated with the Governor's office and the Attorney General's office regarding this investigation and the action taken.

The Nevada State Health Division, the Nevada Board of Pharmacy, the Nevada Board of Medical Examiners and the Southern Nevada Health District are all involved in the investigation, which is ongoing. Bureau surveyors delivered the letters while conducting investigations at both businesses.

During their inspection, investigators at the Lake Mead Boulevard location found a log containing names, dates and prescribed medications, as well as a cache of Spanish-label medications and equipment, including antibiotics and lidocaine. Those medications were confiscated by an investigator from the State Board of Pharmacy. No medical supplies were located at the Nellis Boulevard location during today's inspection.

The store owner was present during the inspection at the Lake Mead Boulevard store and stated that he was aware of the medical procedures taking place in the back of the business.

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The illegal surgical practices were first identified when a call for assistance came from Botanica Maya on June 19, 2009, where a Hispanic woman was found to be bleeding heavily after having a surgery performed. The woman was taken to a local hospital for treatment, where she relayed information that surgeries were also performed at the Nellis Boulevard location.

Nevada state law requires health facilities to be inspected, licensed and regulated by the Health Division, including ambulatory surgical centers. Individuals who have sought medical treatment at either of the two businesses are urged to be tested for exposure to infectious diseases given the potential for unsanitary conditions at the locations.

Health Division Administrator Richard Whitley said the public health risk of unlicensed medical facilities is great.

“Obviously there are serious risks to individual victims of unlicensed surgeries, but there’s a public health risk surrounding the unsafe disposal of human tissues, syringes and other medical supplies,” Whitley said. “And if these facilities are so blatantly ignoring the law, why would anyone have confidence that they would be utilizing safe and effective practices when it comes to issues like sanitation and sterilization? People should not have medical procedures performed at unlicensed facilities. They pose much too great a risk to their lives.”

The Bureau of Health Care Quality and Compliance protects the safety and welfare of the public through the promotion and advocacy of quality health care through licensing, regulation, enforcement and education. This mission is accomplished through the Bureau’s two sections: Licensure and Certification, which regulates facilities such as nursing homes, assisted living facilities, group homes, hospitals, ambulatory surgical centers and laboratories; and Radiological Health, which evaluates and responds to hazards from sources of ionizing radiation such as X-ray machines, sources of radiation to treat cancer and mammography units.

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