BEFORE THE
MEDICAL BOARD OF CALIFORNIA
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

In the Matter of the Accusation Against: Morton Isaac Hyson, M.D. Physician's & Surgeon's Certificate No. G 89091 Respondent.	Case No. 800-2021-074036

DECISION

The attached Stipulated Settlement is hereby adopted as the Decision and Order of the Medical Board of California, Department of Consumer Affairs, State of California.

This Decision shall become effective at 5:00 p.m. on March 24, 2022.

IT IS SO ORDERED: February 22, 2022.

MEDICAL BOARD OF CALIFORNIA

Laurie Rose Lubiano, J.D., Chair
Panel A

ROB BONTA
Attorney General of California
JANE ZACK SIMON
Supervising Deputy Attorney General
CAITLIN ROSS
Deputy Attorney General
State Bar No. 271651
455 Golden Gate Avenue, Suite 11000
San Francisco, CA 94102-7004
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Attorneys for Complainant

BEFORE THE
MEDICAL BOARD OF CALIFORNIA
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

In the Matter of the Accusation Against: **MORTON ISAAC HYSON, M.D.** **701 Shadow Ln Ste. 170** **Las Vegas NV 89106-4178** **Physician's and Surgeon's Certificate No. G 89091** Respondent.	Case No. 800-2021-074036 OAH No. 2021080574 **STIPULATED SETTLEMENT AND DISCIPLINARY ORDER**

IT IS HEREBY STIPULATED AND AGREED by and between the parties to the above-entitled proceedings that the following matters are true:

PARTIES

1. William Prasifka (Complainant) is the Executive Director of the Medical Board of California (Board). He brought this action solely in his official capacity and is represented in this matter by Rob Bonta, Attorney General of the State of California, by Caitlin Ross, Deputy Attorney General.

2. Respondent Morton Isaac Hyson, M.D. (Respondent) is representing himself in this proceeding and has chosen not to exercise his right to be represented by counsel.

3. On or about January 6, 2012, the Board issued Physician's and Surgeon's Certificate No. G 89091 to Morton Isaac Hyson, M.D. The Physician's and Surgeon's Certificate was in full force and effect at all times relevant to the charges brought in Accusation No. 800-2021-074036, and will expire on July 31, 2023, unless renewed.

JURISDICTION

4. Accusation No. 800-2021-074036 was filed before the Board, and is currently pending against Respondent. The Accusation and all other statutorily required documents were properly served on Respondent on June 8, 2021. Respondent filed his Notice of Defense contesting the Accusation.

5. A copy of Accusation No. 800-2021-074036 is attached as Exhibit A and incorporated herein by reference.

ADVISEMENT AND WAIVERS

6. Respondent has carefully read, and understands the charges and allegations in Accusation No. 800-2021-074036. Respondent has also carefully read, and understands the effects of this Stipulated Settlement and Disciplinary Order.

7. Respondent is fully aware of his legal rights in this matter, including the right to a hearing on the charges and allegations in the Accusation; the right to be represented by counsel at his own expense; the right to confront and cross-examine the witnesses against him; the right to present evidence and to testify on his own behalf; the right to the issuance of subpoenas to compel the attendance of witnesses and the production of documents; the right to reconsideration and court review of an adverse decision; and all other rights accorded by the California Administrative Procedure Act and other applicable laws.

8. Respondent voluntarily, knowingly, and intelligently waives and gives up each and every right set forth above.

CULPABILITY

9. Respondent understands and agrees that the charges and allegations in Accusation No. 800-2021-074036, if proven at a hearing, constitute cause for imposing discipline upon his Physician's and Surgeon's Certificate.

10. Respondent agrees that, at a hearing, Complainant could establish a prima facie case or factual basis for the charges in the Accusation, and that Respondent hereby gives up his right to contest those charges.

11. Respondent does not contest that, at an administrative hearing, complainant could establish a prima facie case with respect to the charges and allegations in Accusation No. 800-2021-074036, a true and correct copy of which is attached hereto as Exhibit A, and that he has thereby subjected his Physician's and Surgeon's Certificate, No. G 89091 to disciplinary action.

12. Respondent agrees that his Physician's and Surgeon's Certificate is subject to discipline and he agrees to be bound by the Board's imposition of discipline as set forth in the Disciplinary Order below.

CONTINGENCY

13. This stipulation shall be subject to approval by the Medical Board of California. Respondent understands and agrees that counsel for Complainant and the staff of the Medical Board of California may communicate directly with the Board regarding this stipulation and settlement, without notice to or participation by Respondent. By signing the stipulation, Respondent understands and agrees that he may not withdraw his agreement or seek to rescind the stipulation prior to the time the Board considers and acts upon it. If the Board fails to adopt this stipulation as its Decision and Order, the Stipulated Settlement and Disciplinary Order shall be of no force or effect, except for this paragraph, it shall be inadmissible in any legal action between the parties, and the Board shall not be disqualified from further action by having considered this matter.

14. The parties understand and agree that Portable Document Format (PDF) and facsimile copies of this Stipulated Settlement and Disciplinary Order, including PDF and facsimile signatures thereto, shall have the same force and effect as the originals.

15. In consideration of the foregoing admissions and stipulations, the parties agree that the Board may, without further notice or opportunity to be heard by the Respondent, issue and enter the following Disciplinary Order:

DISCIPLINARY ORDER

A. PUBLIC REPRIMAND

IT IS HEREBY ORDERED that Respondent Morton Isaac Hyson, M.D., Physician's and Surgeon's Certificate No. G 89091, shall be and hereby is publicly reprimanded pursuant to California Business and Professions Code, section 2227, subdivision (a)(4). This Public Reprimand, which is issued in connection with Respondent's conduct as set forth in Accusation No. 800-2021-074036, is as follows:

> On August 21, 2017, the Nevada State Board of Medical Examiners (Nevada Board) found that Respondent would be required to have female monitors present at all encounters with female patients, notify the Nevada Board of any change in monitors, and no longer issue predated or postdated controlled substances prescriptions. On December 4, 2020, the Nevada Board, found that Respondent failed to maintain proper medical records and had violated the previous Order, and required Respondent to keep a female chaperone during female-patient encounters and document the chaperone in the medical records. On June 16, 2021, the Nevada Board ordered that all conditions and restrictions were removed from Respondent's license to practice medicine in the State of Nevada.

B. IT IS FURTHER ORDERED:

MEDICAL RECORD KEEPING COURSE.

Within 60 calendar days of the effective date of this Decision, Respondent shall enroll in a course in medical record keeping approved in advance by the Board or its designee. Respondent shall provide the approved course provider with any information and documents that the approved course provider may deem pertinent. Respondent shall participate in and successfully complete the classroom component of the course not later than six (6) months after Respondent's initial enrollment. Respondent shall successfully complete any other component of the course within one (1) year of enrollment. The medical record keeping course shall be at Respondent's expense

and shall be in addition to the Continuing Medical Education (CME) requirements for renewal of licensure.

A medical record keeping course taken after the acts that gave rise to the charges in the Accusation, but prior to the effective date of the Decision may, in the sole discretion of the Board or its designee, be accepted towards the fulfillment of this condition if the course would have been approved by the Board or its designee had the course been taken after the effective date of this Decision.

Respondent shall submit a certification of successful completion to the Board or its designee not later than 15 calendar days after successfully completing the course, or not later than 15 calendar days after the effective date of the Decision, whichever is later.

Failure to enroll, participate in, or successfully complete the prescribing practices course within the designated time period shall constitute unprofessional conduct and grounds for further disciplinary action.

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ACCEPTANCE

I have carefully read the Stipulated Settlement and Disciplinary Order. I understand the stipulation and the effect it will have on my Physician's and Surgeon's Certificate. I enter into this Stipulated Settlement and Disciplinary Order voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order of the Medical Board of California.

DATED: 12/16/21

MORTON ISAAC HYSON, M.D.
Respondent

ENDORSEMENT

The foregoing Stipulated Settlement and Disciplinary Order is hereby respectfully submitted for consideration by the Medical Board of California.

DATED: 12-17-21

Respectfully submitted,

ROB BONTA
Attorney General of California
JANE ZACK SIMON
Supervising Deputy Attorney General

CAITLIN ROSS
Deputy Attorney General
Attorneys for Complainant

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Attachment: Accusation 800-2021-074036

ROB BONTA
Attorney General of California
JANE ZACK SIMON
Supervising Deputy Attorney General
CAITLIN ROSS
Deputy Attorney General
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Attorneys for Complainant

BEFORE THE
MEDICAL BOARD OF CALIFORNIA
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

In the Matter of the Accusation Against: **Morton Isaac Hyson, M.D.** **701 Shadow Ln., Ste. 170** **Las Vegas, NV 89106-4178** **Physician's and Surgeon's Certificate No. G 89091,** Respondent.	Case No. 800-2021-074036 **ACCUSATION**

PARTIES

1. William Prasifka (Complainant) brings this Accusation solely in his official capacity as the Executive Director of the Medical Board of California, Department of Consumer Affairs (Board).

2. On January 6, 2012, the Medical Board issued Physician's and Surgeon's Certificate Number G 89091 to Morton Isaac Hyson, M.D. (Respondent). The Physician's and Surgeon's Certificate was in full force and effect at all times relevant to the charges brought herein and will expire on July 31, 2021, unless renewed.

JURISDICTION

3. This Accusation is brought before the Board, under the authority of the following laws. All section references are to the Business and Professions Code (Code) unless otherwise indicated.

A. Section 2227 of the Code provides, in part, that the Board may revoke, suspend for a period not to exceed one year, or place on probation, the license of any licensee who has been found guilty under the Medical Practice Act, and may recover the costs of probation monitoring.

B. Section 2234 of the Code provides, in part, that the Board shall take action against any licensee who is charged with unprofessional conduct.

C. Section 2305 of the Code provides, in part, that the revocation, suspension, or other discipline, restriction or limitation imposed by another state upon a license to practice medicine issued by that state, or the revocation, suspension, or restriction of the authority to practice medicine by any agency of the federal government, that would have been grounds for discipline in California under the Medical Practice Act, constitutes grounds for discipline for unprofessional conduct against the licensee in California.

D. Section 141 of the Code provides:

"(a) For any licensee holding a license issued by a board under the jurisdiction of a department, a disciplinary action taken by another state, by any agency of the federal government, or by another country for any act substantially related to the practice regulated by the California license, may be a ground for disciplinary action by the respective state licensing board. A certified copy of the record of the disciplinary action taken against the licensee by another state, an agency of the federal government, or another country shall be conclusive evidence of the events related therein.

(b) Nothing in this section shall preclude a board from applying a specific statutory provision in the licensing act administered by the board that provides for discipline based upon a disciplinary action taken against the licensee by another state, an agency of the federal government, or another country."

CAUSE FOR DISCIPLINE

(Discipline, Restriction, or Limitation Imposed by Another State)

4. Respondent Morton Isaac Hyson, M.D. is subject to disciplinary action under sections 2305 and/or 141 of the Code in that on December 4, 2020, the Nevada State Board of Medical Examiners (the Nevada Board) ordered that a settlement agreement with Respondent was approved and accepted. Respondent's Nevada license was accordingly disciplined, restricted, and limited. The Nevada Board also issued a stipulation and order on August 21, 2017, whereupon Respondent's Nevada license was accordingly disciplined, restricted, and limited. The circumstances are as follows:

5. At all times relevant to the underlying matter, Respondent was licensed to practice medicine in the State of Nevada. On November 16, 2020, the Investigative Committee of the Nevada State Board of Medical Examiners issued a Complaint (Case No. 20-8616-1) against Respondent (the Nevada Complaint). The Nevada Complaint alleged that, for two separate patients, Respondent failed to maintain complete medical records when he prescribed to these two patients without documenting any medical record.

6. The Nevada Complaint also references a Stipulation and Order from the Nevada Board dated August 21, 2017, which required that Respondent have a female chaperone for all medical encounters with female patients, and to inform the Investigative Committee of the Nevada Board of Medical Examiners if there was a change to the identity of the female chaperone. The Nevada Complaint alleged that Respondent failed to comply with the August 21, 2017 Stipulation and Order when a medical record for a female patient revealed noncompliance with the notice provision of the 2017 Stipulation and Order.

7. The August 21, 2017 Stipulation and Order stated that Respondent underwent a psychosexual evaluation, in which the evaluator recommended that all patient contacts be supervised. The August 21, 2017 Stipulation and Order also found that Respondent entered into an agreement with the Investigative Committee of the Nevada State Board of Medical Examiners whereupon Respondent would have female monitors present at all encounters with female patients, notify the Nevada Board of any change in the monitors, and no longer issue predated or

postdated controlled substances prescriptions. Accordingly, the August 21, 2017 Stipulation and Order disciplined, limited, and restricted Respondent's Nevada license.

9. The Nevada Order, effective December 4, 2020, found that Respondent engaged in conduct that is grounds for discipline pursuant to the Nevada Medical Practice Act. As part of the Nevada Order, Respondent admitted to two counts of failure to maintain proper medical records and another count of failure to comply with an Order. The Nevada Order disciplined, limited, and restricted Respondent's Nevada license, including the following terms:

- Respondent received a Public Letter of Reprimand;
- Respondent was required to keep a female chaperone employed and present during all of his female patient encounters and document such chaperone within the medical records;
- Respondent was required to pay a $1,000 fine; and
- Respondent was required to pay the costs of the investigation and prosecution of the matter.

10. A copy of the Nevada Order, which includes the Settlement Agreement and the formal Complaint, is attached to this Accusation as Exhibit A. The August 21, 2017 Stipulation and Order is attached to this Accusation as Exhibit B.

11. The actions of the Nevada State Board of Medical Examiners, the Nevada Order, and the August 21, 2017 Nevada Order, as set forth above, constitute cause for discipline pursuant to sections 2305 and/or 141 of the Code.

PRAYER

WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged, and that following the hearing, the Medical Board of California issue a decision:

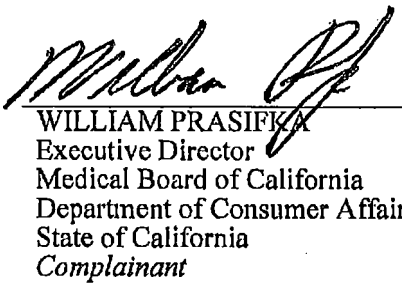
1. Revoking or suspending Physician's and Surgeon's Certificate Number G 89091, issued to Morton Isaac Hyson, M.D.;

2. Revoking, suspending or denying approval of Morton Isaac Hyson, M.D.'s authority to supervise physician assistants and advanced practice nurses;

3. Ordering Morton Isaac Hyson, M.D., if placed on probation, to pay the Board the costs of probation monitoring; and

4. Taking such other and further action as deemed necessary and proper.

DATED: JUN 08 2021



WILLIAM PRASIFKA
Executive Director
Medical Board of California
Department of Consumer Affairs
State of California
Complainant

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Attachment: Disciplinary Documents

The Board of Medical Examiners of the State of Nevada

BEFORE THE BOARD OF MEDICAL EXAMINERS OF THE STATE OF NEVADA

* * * * *

In the Matter of Charges and Complaint Against MORTON ISAAC HYSON, M.D., Respondent.	Case No. 20-8616-1

FILED
NOV 16 2020
NEVADA STATE BOARD OF MEDICAL EXAMINERS
By: _____

OFFICE OF THE GENERAL COUNSEL
Nevada State Board of Medical Examiners
9600 Gateway Drive
Reno, Nevada 89521
(775) 688-2559

COMPLAINT

The Investigative Committee[1] (IC) of the Nevada State Board of Medical Examiners (Board), by and through Robert Kilroy, Esq., General Counsel and attorney for the IC, having a reasonable basis to believe that Morton Isaac Hyson, M.D. (Respondent) violated the provisions of Nevada Revised Statutes (NRS) Chapter 630 and Nevada Administrative Code (NAC) Chapter 630 (collectively, the Medical Practice Act), hereby issues its Complaint, stating the IC's charges and allegations as follows:

1. Respondent was at all times relative to this Complaint a medical doctor holding an active license to practice medicine in the State of Nevada (License No. 6062). Respondent was originally licensed by the Board on July 1, 1990.

2. On August 21, 2017, Respondent entered into a Stipulation and Order (Order), requiring a female chaperone for all medical encounters with female patients. Wherein this Order required Respondent to inform the IC within 24 hours if there is a change in the identity of the female chaperone. Respondent agreed and acknowledged that said terms and conditions of the Order shall be considered grounds for initiation of disciplinary action pursuant to NRS 630.3065(2)(a) if Respondent knowingly or willfully failed to comply with the aforementioned Order's terms and conditions.

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[1] The Investigative Committee of the Nevada State Board of Medical Examiners, at the time this formal Complaint was authorized for filing, was composed of Board members Wayne Hardwick, M.D., Chairman, Mr. M. Neil Duxbury, and Aury Nagy, M.D.

A. Respondent's Treatment of Patient A

3. Patient A's true identity is not disclosed herein to protect her privacy, but is disclosed in the Patient Designation served upon Respondent along with a copy of this Complaint.

4. Pursuant the Nevada Prescription Monitoring Program (PMP), Respondent wrote a prescribtion for Patient A on Saturday, September 9, 2017. There was no medical record for the aforementioned prescription.

COUNT I

NRS 630.3062(1)(a) (Failure to Maintain Proper Medical Records)

5. All of the allegations contained in the above paragraphs are hereby incorporated by reference as though fully set forth herein.

6. NRS 630.3062(1)(a) provides that the failure to maintain timely, legible, accurate and complete medical records relating to the diagnosis, treatment and care of a patient is grounds for initiating discipline against a licensee.

7. Respondent failed to maintain complete medical records relating to the diagnosis, treatment and care of Patient A, by failing to document his actions when he prescribed the aforementioned prescription without any medical record.

8. By reason of the foregoing, Respondent is subject to discipline by the Nevada State Board of Medical Examiners as provided in NRS 630.352.

B. Respondent's Treatment of Patient B

9. Patient B's true identity is not disclosed herein to protect his or her privacy, but is disclosed in the Patient Designation served upon Respondent along with a copy of this Complaint.

10. Pursuant the Nevada Prescription Monitoring Program (PMP), Respondent wrote a prescription for Patient B on Friday, September 15 2017. There was no medical record for the aforementioned prescription. On August 9, 2017, there was a patient encounter with Patient B and Respondent, but the female chaperone listed in the medical record was not employed at the time of this encounter, yet her name is stated as present, in the medical records.

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COUNT II

NRS 630.3062(1)(a) (Failure to Maintain Proper Medical Records)

11. All of the allegations contained in the above paragraphs are hereby incorporated by reference as though fully set forth herein.

12. NRS 630.3062(1)(a) provides that the failure to maintain timely, legible, accurate and complete medical records relating to the diagnosis, treatment and care of a patient is grounds for initiating discipline against a licensee.

13. Respondent failed to maintain complete medical records relating to the diagnosis, treatment and care of Patient B, by failing to document his actions when he prescribed the aforementioned prescription without any medical record.

14. By reason of the foregoing, Respondent is subject to discipline by the Nevada State Board of Medical Examiners as provided in NRS 630.352.

COUNT III

NRS 630.3065(2)(a) (Failure to Comply with Order)

15. All of the allegations contained in the above paragraphs are hereby incorporated by reference as though fully set forth herein.

16. The Order required Respondent to inform the IC of any change in the female chaperon. Patient B' s medical record indicated a chaperone was present who was in fact not employed by Respondent to fulfill the aforementioned chaperon.

17. Pursuant to NRS 630.3065(2)(a), the following acts constitute grounds for initiating disciplinary action, knowingly or willfully failing to comply with the Order, which required informing the IC of any change in the chaperone's employment. Here, Respondent's medical record for Patient B indicated a chaperone who was not employed at the time of the encounter stated in the medical records. The IC was never informed.

18. By reason of the foregoing, Respondent is subject to discipline by the Nevada State Board of Medical Examiners as provided in NRS 630.352.

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WHEREFORE, the Investigative Committee prays:

1. That the Board give Respondent notice of the charges herein against him and give him notice that he may file an answer to the Complaint herein as set forth in NRS 630.339(2) within twenty (20) days of service of the Complaint;

2. That the Board set a time and place for a formal hearing after holding an Early Case Conference pursuant to NRS 630.339(3);

3. That the Board determine what sanctions to impose if it determines there has been a violation or violations of the Medical Practice Act committed by Respondent;

4. That the Board make, issue and serve on Respondent its findings of fact, conclusions of law and order, in writing, that includes the sanctions imposed; and

5. That the Board take such other and further action as may be just and proper in these premises.

DATED this 16 day of Novmeber, 2020.

INVESTIGATIVE COMMITTEE OF THE
NEVADA STATE BOARD OF MEDICAL EXAMINERS

By: _____
Robert Kilroy, Esq., General Counsel
Attorney for the Investigative Committee

OFFICE OF THE GENERAL COUNSEL
Nevada State Board of Medical Examiners
9600 Gateway Drive
Reno, Nevada 89521
(775) 688-2559

VERIFICATION

STATE OF NEVADA)
: ss.
COUNTY OF WASHOE)

Mr. M. Neil Duxbury, having been duly sworn, hereby deposes and states under penalty of perjury that he is the Chairman of the Investigative Committee of the Nevada State Board of Medical Examiners that authorized the Complaint against the Respondent herein; that he has read the foregoing Complaint; and that based upon information discovered in the course of the investigation into a complaint against Respondent, he believes that the allegations and charges in the foregoing Complaint against Respondent are true, accurate and correct.

DATED this 6 day of November, 2020.

INVESTIGATIVE COMMITTEE OF THE
NEVADA STATE BOARD OF MEDICAL EXAMINERS

By: M. Neil Duxbury
M. Neil Duxbury, Chairman

OFFICE OF THE GENERAL COUNSEL
Nevada State Board of Medical Examiners
9600 Gateway Drive
Reno, Nevada 89521
(775) 688-2559

CERTIFICATE OF SERVICE

I hereby certify that I am employed by the Nevada State Board of Medical Examiners and that on the 16th day of November, 2020, I served a file-stamped copy of the foregoing **COMPLAINT**, via U.S. Certified Mail to the following parties:

Katherine L. Turpen, Esq.
c/o Morton Isaac Hyson, M.D.
JOHN H. COTTON & ASSOCIATES
7900 West Sahara Avenue, Suite 200
Las Vegas, Nevada 89117
Certified Mail Receipt No.: 9171 969 0043 5024 1619 11

DATED this 16th day of November, 2020.

Mercedes Fuentes, Legal Assistant
Nevada State Board of Medical Examiners

OFFICE OF THE GENERAL COUNSEL
Nevada State Board of Medical Examiners
9600 Gateway Drive
Reno, Nevada 89521
(775) 688-2559

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

Signed: _____
Executive Director

Date: 1/14/21

BEFORE THE BOARD OF MEDICAL EXAMINERS OF THE STATE OF NEVADA

* * * * *

In the Matter of Charges and Complaint Against MORTON ISAAC HYSON, M.D., Respondent.	**Case No. 20-8616-1**

FILED
DEC - 4 2020
NEVADA STATE BOARD OF MEDICAL EXAMINERS
By: _____

OFFICE OF THE GENERAL COUNSEL
Nevada State Board of Medical Examiners
9600 Gateway Drive
Reno, Nevada 89521
(775) 688-2559

SETTLEMENT AGREEMENT

The Investigative Committee (IC) of the Nevada State Board of Medical Examiners (Board), by and through Robert Kilroy, Esq., General Counsel for the Board and attorney for the IC, and Morton Isaac Hyson, M.D. (Respondent), a licensed physician in Nevada, through his attorney Katherine Turpen, Esq., of John Cotton & Associates, Ltd., hereby enter into this Settlement Agreement (Agreement) based on the following:[1]

A. Background

1. Respondent is a physician currently licensed in active status by the Board pursuant to Chapter 630 of the Nevada Revised Statutes (NRS) and Chapter 630 of the Nevada Administrative Code (NAC) (collectively, the Medical Practice Act) to practice medicine in Nevada. His license was originally issued on July 1, 1990 (License No. 6062).

2. On November 16, 2020, in Case No. 20-8616-1, the IC filed a formal Complaint (Complaint) charging Respondent with violating the Medical Practice Act. Specifically, the Complaint alleges Count I, Failure to Maintain Proper Medical Records, NRS 630.3062(1)(a), Count II, Failure to Maintain Proper Medical Records, NRS 630.3062(1)(a), Count III, Failure to Comply

[1] All agreements and admissions made by Respondent are solely for final disposition of this matter and any subsequent related administrative proceedings or civil litigation involving the Board and Respondent. Therefore, Respondent's agreements and admissions are not intended or made for any other use, such as in the context of another state or federal government regulatory agency proceeding, state or federal civil or criminal proceeding, any state or federal court proceeding, or any credentialing or privileges matter.

with Order, NRS 630.3065(2)(a). By reason of the foregoing, Respondent is subject to discipline by the Board as provided in NRS 630.352.

3. Respondent was properly served with a copy of the Complaint, has reviewed and understands the Complaint, and has had the opportunity to consult with competent counsel concerning the nature and significance of this Complaint.

4. Respondent is hereby advised of his rights regarding this administrative matter, and of his opportunity to defend against the allegations in the Complaint. Specifically, Respondent has certain rights in this administrative matter as set out by the United States Constitution, the Nevada Constitution, the Medical Practice Act, the Nevada Open Meeting Law (OML), which is contained in NRS Chapter 241, and the Nevada Administrative Procedure Act (APA), which is contained in NRS Chapter 233B. These rights include the right to a formal hearing on the allegations in the Complaint, the right to representation by counsel, at his own expense, in the preparation and presentation of his defense, the right to confront and cross-examine the witnesses and evidence against him, the right to written findings of fact, conclusions of law and order reflecting the final decision of the Board, and the right to judicial review of the Board's order, if the decision is adverse to him.

5. Respondent understands that, under the Board's charge to protect the public by regulating the practice of medicine, the Board may take disciplinary action against Respondent's license, including license probation, license suspension, license revocation and imposition of administrative fines, as well as any other reasonable requirement or limitation, if the Board concludes that Respondent violated one or more provisions of the Medical Practice Act.

6. Respondent understands and agrees that this Agreement, by and between Respondent and the IC, is not with the Board, and that the IC will present this Agreement to the Board for consideration in open session at a duly noticed and scheduled meeting. Respondent understands that the IC shall advocate for the Board's approval of this Agreement, but that the Board has the right to decide in its own discretion whether or not to approve this Agreement.

7. Respondent further understands and agrees that if the Board approves this Agreement, then the terms and conditions enumerated below shall be binding and enforceable upon him and the Board.

OFFICE OF THE GENERAL COUNSEL
Nevada State Board of Medical Examiners
9600 Gateway Drive
Reno, Nevada 89521
(775) 688-2559

OFFICE OF THE GENERAL COUNSEL
Nevada State Board of Medical Examiners
9600 Gateway Drive
Reno, Nevada 89521
(775) 688-2559

B. Terms & Conditions

NOW, THEREFORE, in order to resolve the matters addressed herein, i.e., the matters with regard to the Complaint, Respondent and the IC hereby agree to the following terms and conditions:

1. **Jurisdiction**. Respondent is, and at all times relevant to the Complaint has been, a physician licensed to practice medicine in Nevada subject to the jurisdiction of the Board as set forth in the Medical Practice Act.

2. **Representation by Counsel/Knowing, Willing and Intelligent Agreement**. Respondent acknowledges he is represented by counsel, and wishes to resolve the matters addressed herein with said counsel. Respondent agrees that if representation by counsel in this matter materially changes prior to entering into this Agreement and for the duration of this Agreement, that counsel for the IC will be timely notified of the material change. Respondent agrees that he knowingly, willingly and intelligently enters into this Agreement after deciding to have a full consultation with and upon the advice of legal counsel.

3. **Waiver of Rights**. In connection with this Agreement, and the associated terms and conditions, Respondent knowingly, willingly and intelligently waives all rights in connection with this administrative matter. Respondent hereby knowingly, willingly and intelligently waives all rights arising under the United States Constitution, the Nevada Constitution, the Medical Practice Act, the OML, the APA, and any other legal rights that may be available to him or that may apply to him in connection with the administrative proceedings resulting from the Complaint filed in this matter, including defense of the Complaint, adjudication of the allegations set forth in the Complaint, and imposition of any disciplinary actions or sanctions ordered by the Board. Respondent agrees to settle and resolve the allegations of the Complaint as set out by this Agreement, without a hearing or any further proceedings and without the right to judicial review.

4. **Acknowledgement of Reasonable Basis to Proceed**. As of the time of entering into this Settlement Agreement, the allegations of the Complaint remain unproven. Respondent acknowledges that the IC believes it has a reasonable basis to allege that Respondent engaged in conduct that is grounds for discipline pursuant to the Medical Practice Act. The IC acknowledges

Respondent is not admitting that the IC's claims/counts as alleged in the Complaint have merit and Respondent is agreeing to resolve this matter to avoid the costs of hearing and potential subsequent litigation. Respondent asserts if this matter were to proceed to hearing, he has evidence, witnesses, expert witness(es) and defenses to the counts/claims alleged in the Complaint, but for the purposes of resolving the matter and for no other purpose, Respondent waives the presentation of evidence, witnesses, expert witnesses, and defenses in order to effectuate this Agreement.

5. **Consent to Entry of Order**. In order to resolve this Complaint pending against Respondent, Respondent hereby agrees that the Board may issue an order finding that Respondent engaged in conduct that is grounds for discipline pursuant to the Medical Practice Act. Accordingly, the following terms and conditions are hereby agreed upon:

a. Respondent admits to Count I NRS 630.3062(1)(a) Failure to Maintain Proper Medical Records; Count II NRS 630.3062(1)(a) Failure to Maintain Proper Medical Records; Count III NRS 630.3065(2)(a) Failure to Comply with Order.

b. Respondent will pay the costs and expenses incurred in the investigation and prosecution of the above-referenced matter within sixty (60) days of the Board's acceptance, adoption and approval of this Agreement, the current amount being five thousand four hundred nineteen dollars and ninety-six cents ($5,419.96), not including any costs that may be necessary to finalize this Agreement.

c. Respondent shall pay a fine of one thousand dollars ($1,000.00) within sixty (60) days of the Board's acceptance, adoption and approval of this Agreement.

d. This Agreement shall be reported to the appropriate entities and parties as required by law, including, but not limited to, the National Practitioner Data Bank.

e. Respondent shall receive a Public Letter of Reprimand.

f. Any other claims arising from Board Investigation No. 16-16277, shall be dismissed with prejudice.

g. Respondent shall keep a female chaperon employed and present during all of his female patient encounters and document such chaperon within the medical records.

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Nevada State Board of Medical Examiners
9600 Gateway Drive
Reno, Nevada 89521
(775) 688-2559

6. **Release From Liability**. In execution of this Agreement, Respondent understands and agrees that the State of Nevada, the Board, and each of its members, staff, counsel, investigators, experts, peer reviewers, committees, panels, hearing officers, consultants and agents are immune from civil liability for any decision or action taken in good faith in response to information acquired by the Board. NRS 630.364(2)(a). Respondent agrees to release the State of Nevada, the Board, and each of its members, staff, counsel, investigators, experts, peer reviewers, committees, panels, hearing officers, consultants and agents from any and all manner of actions, causes of action, suits, debts, judgments, executions, claims and demands whatsoever, known and unknown, in law or equity, that Respondent ever had, now has, may have or claim to have, against any or all of the persons, government agencies or entities named in this paragraph arising out of, or by reason of, this investigation, this Agreement or the administration of the case referenced herein.

7. **Procedure for Adoption of Agreement**. The IC and counsel for the IC shall recommend approval and adoption of the terms and conditions of this Agreement by the Board in resolution of this Complaint. In the course of seeking Board acceptance, approval and adoption of this Agreement, counsel for the IC may communicate directly with the Board staff and the adjudicating members of the Board. Respondent acknowledges that such contacts and communications may be made or conducted ex parte, without notice or opportunity to be heard on his part until the public Board meeting where this Agreement is discussed, and that such contacts and communications may include, but may not be limited to, matters concerning this Agreement, the Complaint and any and all information of every nature whatsoever related to this matter. The IC and its counsel agree that Respondent and/or Counsel for the Respondent may appear at the

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Board meeting where this Agreement is discussed and, if requested, respond to any questions that may be addressed to the IC or the IC's counsel.

8. **Effect of Acceptance of Agreement by Board**. In the event the Board accepts, approves and adopts this Agreement, the Board shall issue a final order, making this Agreement an order of the Board, and, pending full compliance with the terms herein, the case shall be closed

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and all remaining claims arising out of the Complaint shall be dismissed with prejudice.

9. **Effect of Rejection of Agreement by Board**. In the event the Board does not accept, approve and adopt this Agreement, this Agreement shall be null, void and of no force and effect except as to the following agreement regarding adjudications: (1) Respondent agrees that, notwithstanding rejection of this Agreement by the Board, nothing contained in this Agreement and nothing that occurs pursuant to efforts of the IC to seek the Board's acceptance of this Agreement shall disqualify any member of the adjudicating panel of the Board from considering this Complaint and from participating in disciplinary proceedings against Respondent, including adjudication of this case; and (2) Respondent further agrees that he shall not seek to disqualify any such member absent evidence of bad faith.

10. **Binding Effect**. If approved by the Board, Respondent understands that this Agreement is a binding and enforceable contract upon Respondent and the Board.

11. **Forum Selection Clause**. The parties agree that in the event either party is required to seek enforcement of this Agreement in district court, the parties consent to such jurisdiction and agree that exclusive jurisdiction shall be in the Second Judicial District Court, State of Nevada, Washoe County.

12. **Attorneys' Fees and Costs**. The parties agree that in the event an action is commenced in district court to enforce any provision of this Agreement, the prevailing party shall be entitled to recover reasonable attorneys' fees and costs.

13. **Failure to Comply With Terms**. Should Respondent fail to comply with any term or condition of this Agreement once the Agreement has been accepted, approved and adopted by the Board, the IC shall be authorized to immediately suspend Respondent's license to practice medicine in Nevada pending an Order To Show Cause Hearing, which will be duly noticed. Failure to comply with the terms of this Agreement, including failure to pay any fines, costs, expenses or fees owed to the Board, is a failure to comply with an order of the Board, which may result in additional disciplinary action being taken against Respondent. NRS 630.3065(2)(a). Further, Respondent's failure to remit payment to the Board for monies agreed to be paid as a condition of this Agreement may subject Respondent to civil collection efforts.

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Nevada State Board of Medical Examiners
9600 Gateway Drive
Reno, Nevada 89521
(775) 688-2559

Dated this 27 day of Nov, 2020.

INVESTIGATIVE COMMITTEE OF THE
NEVADA STATE BOARD OF MEDICAL EXAMINERS

By: _____
Robert Kilroy, Esq., General Counsel
Attorney for the Investigative Committee

Dated this 20 day of Nov, 2020.

JOHN COTTON & ASSOCIATES, LTD.

By: _____
Katherine Turpen, Esq.
Attorneys for Respondent

Dated this _____ day of _____, 2020.

_____
Morton Isaac Hyson, M.D., Respondent

OFFICE OF THE GENERAL COUNSEL
Nevada State Board of Medical Examiners
9600 Gateway Drive
Reno, Nevada 89521
(775) 688-2559

Dated this _____ day of _____, 2020.

INVESTIGATIVE COMMITTEE OF THE
NEVADA STATE BOARD OF MEDICAL EXAMINERS

By: _____
Robert Kilroy, Esq., General Counsel
Attorney for the Investigative Committee

Dated this _____ day of _____, 2020.

JOHN COTTON & ASSOCIATES, LTD.

By: _____
Katherine Turpen, Esq.
Attorneys for Respondent

Dated this _____ day of _____, 2020.

Morton Isaac Hyson, M.D.
Morton Isaac Hyson, M.D., Respondent

OFFICE OF THE GENERAL COUNSEL
Nevada State Board of Medical Examiners
9600 Gateway Drive
Reno, Nevada 89521
(775) 688-2559

ORDER

IT IS HEREBY ORDERED, that the foregoing Settlement Agreement (Case No. 20-8616-1) was approved and accepted by the Nevada State Board of Medical Examiners on the 4th day of December, 2020, with the final total amount of costs due of five thousand four hundred nineteen dollars and ninety-six cents ($5,419.96).

DATED this 4th day of December, 2020.

D Prabhu Rachakonda, M.D.

Rachakonda D. Prabhu, M.D., President
Nevada State Board of Medical Examiners

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Nevada State Board of Medical Examiners
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Reno, Nevada 89521
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STATE OF NEVADA
BOARD OF MEDICAL EXAMINERS
I certify, as Official Custodian of the records, that this document is a true and correct copy of the original on file in this office.

Signed: _____
Executive Director

Date: 4/14/21

BEFORE THE BOARD OF MEDICAL EXAMINERS OF THE STATE OF NEVADA

* * * * *

In the Matter of an Investigation of MORTON ISAAC HYSON, M.D., License No. 6062	Case No. 16-16277

OFFICE OF THE GENERAL COUNSEL
Nevada State Board of Medical Examiners
1105 Terminal Way #301
Reno, Nevada 89502
(775) 688-2559

STIPULATION AND ORDER

The Investigative Committee of the Nevada State Board of Medical Examiners (hereinafter "Committee"), composed of Wayne Hardwick, M.D., Chairman, Aury Nagy, M.D. and Mr. M. Neil Duxbury, and Morton Isaac Hyson, M.D. (hereinafter "Dr. Hyson"), by and through undersigned counsel, hereby agree and stipulate to the following:

1. On August 10, 2016, Dr. Hyson underwent a psychosexual evaluation, in which the evaluator recommended that all patient contacts be supervised.

2. On February 9, 2017, Dr. Hyson entered into an Agreement with the Committee that Dr. Hyson would have female monitors present at all encounters with female patients, which was signed by Tracey Litt and Vanessa Lujan.

3. Vanessa Lujan ceased employment with Dr. Hyson on March 13, 2017, and Tracey Litt ceased employment on July 22, 2017.

4. Dr. Hyson has been seeing female patients with the door open since the departure of Tracey Litt, and has been seeking to hire a replacement employee.

5. Dr. Hyson agrees that any encounters with female patients will be accompanied by a female monitor.

6. Dr. Hyson currently has several female employees who can serve as monitors. Such employees shall sign a Monitor Affidavit.

7. Dr. Hyson shall notify the Committee within 24 hours if there is a change in the identity

or availability of the monitors, and provide a new monitor affidavit.

8. Dr. Hyson will no longer prescribe controlled substances by predating/postdating scripts.

9. Dr. Hyson agrees and acknowledges that upon approval and acceptance of this Stipulation by the Committee, said terms and conditions shall be considered to be an Order of the Committee and that knowingly or willfully failing to comply with an Order of the Committee is grounds for the initiation of disciplinary action against him pursuant to NRS 630.3065(2)(a).

Dated this 21 day of August, 2017.

By: _____
Katherine Turpin, Esq. #891
Attorney for Morton Isaac Hyson, M.D.

Dated this 21 day of Aug, 2017.

By: _____
Robert Kilroy, Esq.
Attorney for the Investigative Committee

UNDERSTOOD AND AGREED:

Dated this _____ day of _____, 2017.

_____
Morton Isaac Hyson, M.D., Licensee

IT IS SO ORDERED.

Dated this 21st day of August, 2017.

_____

BETHANY ANTONIOU
Notary Public-State of Nevada
APPT. NO. 12-8935-1
My Appt. Expires 09-01-2020

OFFICE OF THE GENERAL COUNSEL
Nevada State Board of Medical Examiners
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Reno, Nevada 89502
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or availability of the monitors, and provide a new monitor affidavit.

8. Dr. Hyson will no longer prescribe controlled substances by predating/postdating scripts.

9. Dr. Hyson agrees and acknowledges that upon approval and acceptance of this Stipulation by the Committee, said terms and conditions shall be considered to be an Order of the Committee and that knowingly or willfully failing to comply with an Order of the Committee is grounds for the initiation of disciplinary action against him pursuant to NRS 630.3065(2)(a).

Dated this _____ day of _____, 2017.

By: _____
Katherine Turpin, Esq.
Attorney for Morton Isaac Hyson, M.D.

Dated this _____ day of _____, 2017.

By: _____
Robert Kilroy, Esq.
Attorney for the Investigative Committee

UNDERSTOOD AND AGREED:

Dated this _____ day of _____, 2017.

Morton Isaac Hyson, M.D., Licensee

IT IS SO ORDERED.

Dated this 21st day of August, 2017.

BETHANY ANTONIOU
Notary Public-State of Nevada
APPT. NO. 12-8935-1
My Appt. Expires 09-01-2020

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

Signed: _____
Executive Director

Date: 1/18/21

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