

BEFORE THE BOARD OF MEDICAL EXAMINERS
OF THE STATE OF NEVADA

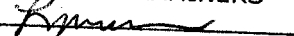
In The Matter of Charges and)
Complaint Against)
ANTHONY CRUZ, C.R.T.,)
Respondent.)

Case No. 10-23453-1

FILED

AUG 26 2010

NEVADA STATE BOARD OF
MEDICAL EXAMINERS

By: 

COMPLAINT

The Investigative Committee of the Nevada State Board of Medical Examiners, composed at the time filing was approved of Charles N. Held, M.D., Theodore Berndt, M.D. and Ms. Valerie Clark, BSN, RHU, LUTCF, having a reasonable basis to believe that Anthony Cruz, C.R.T., hereinafter referred to as Mr. Cruz, has violated the provisions of NRS Chapter 630, hereby issues its formal Complaint, stating the Investigative Committee's charges and allegations, as follows:

1. Mr. Cruz is licensed to practice respiratory care in the state of Nevada (License No. RC598), and was originally licensed on December 31, 2001 by the Nevada State Board of Medical Examiners pursuant to the provisions of Chapter 630 of the Nevada Revised Statutes.

2. On August 3, 2010 Mr. Cruz was working at Summerlin Hospital and was reported to be exhibiting signs of impairment. Mr. Cruz was requested to submit to a ten-panel urine drug screen and he agreed to do so.

3. Results of the drug screen were forwarded to Summerlin Hospital a few days later and showed that Mr. Cruz was positive for methamphetamine at the time of the test.

4. On August 9, 2010, Mr. Cruz was terminated from Summerlin Hospital.

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1 5. On August 19, 2010, the Investigative Committee of the Nevada State Board of
2 Medical Examiners issued its Order summarily suspending the license to practice respiratory care
3 of Mr. Cruz pursuant to NRS 630.326(1).

4 6. The license to practice respiratory care of Mr. Cruz remains suspended at the time
5 of the filing of this Complaint.

6 **Count I**

7 7. NAC 630.540(9) provides that rendering respiratory care to a patient while under
8 the influence of alcohol or any controlled substance or in any impaired mental or physical
9 condition is grounds for the initiation of a disciplinary action against a respiratory therapist.

10 8. Mr. Cruz exhibited signs of impairment and subsequent to urine drug test was
11 found to have been under the influence of methamphetamine while at work at Summerlin hospital
12 where he provided respiratory care to patients on August 3, 2010.

13 9. By reason of the foregoing, Mr. Cruz is subject to discipline by the Nevada State
14 Board of Medical Examiners as provided in NAC 630.555.

15 **Count II**

16 10. NAC 630.540(23) provides that violation of a provision of NRS 630.301 through
17 NRS 630.3065 is grounds for the initiation of a disciplinary action against a respiratory therapist.

18 11. NRS 630.306(1) provides that inability to practice medicine with reasonable skill
19 and safety because of illness, a mental or physical condition or the use of alcohol, narcotics or any
20 other substance is grounds for initiating discipline against a licensee.

21 12. Mr. Cruz was found to have been under the influence of methamphetamine, an
22 illegal drug while at work at Summerlin Hospital and therefore was unable to practice respiratory
23 care with reasonable skill and safety due to said drug usage.

24 13. By reason of the foregoing, Mr. Cruz is subject to discipline by the Nevada State
25 Board of Medical Examiners as provided in NAC 630.555.

26 **WHEREFORE**, the Investigative Committee prays:

27 1. That the Nevada State Board of Medical Examiners give Mr. Cruz notice of the
28 charges herein against him and give him notice that he may file an answer to the Complaint herein

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as set forth in Section 630.339 of the Nevada Revised Statutes within twenty (20) days of service of the Complaint.

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

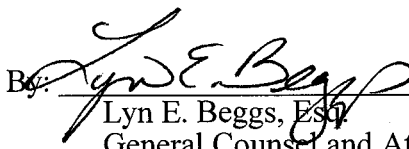
3. That the Nevada State Board of Medical Examiners determine what sanctions it determines to impose if it determines there has been a violation or violations of the Medical Practice Act (Nevada Revised Statutes Chapter 630) committed by Mr. Cruz; and

4. That the Nevada State Board of Medical Examiners make, issue and serve on Mr. Cruz its findings of facts, conclusions of law and order, in writing, that includes the sanctions imposed; and

5. That the Nevada State Board of Medical Examiners take such other and further action as may be just and proper in these premises.

DATED this 26th day of August, 2010.

THE NEVADA STATE BOARD OF MEDICAL EXAMINERS

By: 
Lyn E. Beggs, Esq.
General Counsel and Attorney for the Investigative Committee

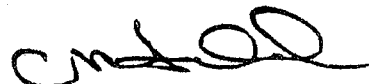
VERIFICATION

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STATE OF NEVADA)
 : ss.
COUNTY OF DOUGLAS)

CHARLES N. HELD, M.D., 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 26th day of August, 2010.



CHARLES N. HELD, M.D.

OFFICE OF THE GENERAL COUNSEL

Nevada State Board of Medical Examiners

1105 Terminal Way #301

Reno, Nevada 89502

(775) 688-2559

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CERTIFICATE OF MAILING

I hereby certify that I am employed by Nevada State Board of Medical Examiners and that on 26th day of August 2010; I served a file copy of the COMPLAINT and Fingerprint Information by mailing via USPS certified return receipt to the following:

Anthony Cruz
1576 Evening Spirit Ave.
Las Vegas, NV 89183

Dated this 26th day of August 2010.



Angelia L. Donohoe
Legal Assistant