

1                                   **BEFORE THE BOARD OF MEDICAL EXAMINERS**  
2                                   **OF THE STATE OF NEVADA**

3                                   \* \* \* \* \*

4  
5 **In The Matter of Charges and**                   )  
6 **Complaint Against**                                )  
7 **ANTHONY CRUZ, C.R.T.,**                            )  
8    )  
9                                   **Respondent.**                                        )

Case No. 10-23453-1

**FILED**

**JAN 11 2011**

**NEVADA STATE BOARD OF  
MEDICAL EXAMINERS**

By: \_\_\_\_\_

10  
11                                   **FIRST AMENDED COMPLAINT**

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

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

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

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

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

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**Count III**

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2 14. NAC 630.540(1) provides that willfully and intentionally making a false or  
3 fraudulent statement when applying for or renewing a license is grounds for the initiation of  
4 disciplinary action against a respiratory therapist.

5 15. Mr. Cruz was arrested in 1994 for domestic battery but failed to disclose the arrest  
6 when he applied for licensure in 2001 and failed to disclose on any subsequent renewal  
7 applications.

8 16. Mr. Cruz was arrested in 2005 for a misdemeanor DUI but failed to disclose the  
9 arrest on his 2006 renewal application or any subsequent renewal applications.

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

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

13 1. That the Nevada State Board of Medical Examiners give Mr. Cruz notice of the  
14 charges herein against him and give him notice that he may file an answer to the Complaint herein  
15 as set forth in Section 630.339 of the Nevada Revised Statutes within twenty (20) days of service  
16 of the Complaint.

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

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

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

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**CERTIFICATE OF MAILING**

I hereby certify that I am employed by Nevada State Board of Medical Examiners and that on 11<sup>th</sup> day of January 2011; I served a file copy of the Amended Complaint, Settlement, Waiver & Consent Agreement, by mailing via Fed-Ex Priority Overnight to the following:

Anthony Cruz, C.R.T.  
2300 E. Silverado Ranch Blvd., #1014  
Las Vegas, NV 89183

Dated this 11<sup>th</sup> day of January 2011.



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Angelia L. Donohoe  
Legal Assistant