

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

3 * * * * *

4
5 **In the Matter of Charges and Complaint**

Case No. 24-12965-1

6 **Against:**

FILED

7 **FRANCIS ESCOLIN JIMENEZ, M.D.,**

FEB - 7 2024

8 **Respondent.**

**NEVADA STATE BOARD OF
MEDICAL EXAMINERS**

By: _____

9
10 **COMPLAINT**

11 The Investigative Committee¹ (IC) of the Nevada State Board of Medical Examiners
12 (Board), by and through its counsel, Alexander J. Hinman, Deputy General Counsel and attorney for
13 the IC, having a reasonable basis to believe that Francis Escolin Jimenez, M.D., (Respondent)
14 violated the provisions of Nevada Revised Statutes (NRS) Chapter 630 and Nevada Administrative
15 Code (NAC) Chapter 630 (collectively, the Medical Practice Act), hereby issues its Complaint,
16 stating the IC's charges and allegations as follows:

17 1. Respondent was at all times relative to this Complaint a physician holding an active
18 license to practice medicine in the State of Nevada (License No. 9268). Respondent was originally
19 licensed by the Board on January 7, 2000, specializing in Family Practice.

20 2. Patient A² was a thirty-five (35) year-old male at the time of the events at issue.

21 3. On or around May 15, 2018, Patient A presented to Respondent for a sexually
22 transmitted disease ("STD") examination, after being informed that a previous sexual partner had
23 contracted an STD. Additionally, Patient A sought a refill for his existing prescriptions of
24 Adderall and Vyvanse.

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27 ¹ The Investigative Committee of the Nevada State Board of Medical Examiners, at the time this formal
28 Complaint was authorized for filing, was composed of Board members Mr. M. Neil Duxbury, Aury Nagy, M.D., and
Michael C. Edwards, M.D., FACS.

² Patient A's true identity is not disclosed herein to protect his privacy, but is disclosed in the Patient
Designation served upon Respondent along with a copy of this Complaint.

1 4. Prior to seeing Respondent in a doctor-patient capacity, Patient A knew
2 Respondent through the course of his employment, as Patient A was a pharmaceutical
3 representative for AstraZeneca and had made multiple visits to Respondent’s medical practice.

4 5. Patient A and Respondent developed a professional relationship; however, this
5 relationship became atypical when Respondent began making inappropriate comments and
6 behaving unprofessionally towards Patient A. This commentary and behavior occurred before,
7 during, and after the May 15, 2018, examination.

8 6. Patient A presented for an examination regarding a potential STD on
9 May 15, 2018, and Respondent performed a physical inspection of Patient A’s genitals for
10 approximately five (5) to seven (7) minutes. During the examination, Respondent told Patient A
11 that he wanted to put Patient A’s penis in his mouth, that he had a “really nice penis,” and that he
12 should be getting erect while Respondent was performing the examination.

13 7. There are no medical records of Respondent examining Patient A on
14 May 15, 2018; however, Respondent does not dispute it was performed. Further, there is no
15 investigation or work-up of a possible STD, and no tests were performed to determine if
16 Chlamydia, Gonorrhea, Syphilis, or HIV were present.

17 8. During a subsequent visit to Respondent’s office, Patient A was assaulted by
18 Respondent. As indicated in a police report filed by Patient A, Respondent grabbed Patient A by
19 his penis and buttocks and refused to let go. Further, as Patient A was trying to exit the
20 examination room, Respondent blocked the door and would not allow him to leave.

21 9. On February 26, 2019, a criminal complaint was filed, which contained four (4)
22 charges. Respondent entered a plea of Nolo Contendere to a lesser charge of Count 1 of the
23 Complaint, and a Judgement was entered September 24, 2020.

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1 COUNT III

2 **NRS 630.301(6) – Disruptive Behavior**

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

5 19. NRS 630.301(6) provides that disruptive behavior with patients that interferes with
6 patient care or has an adverse impact on the quality of care rendered to a patient is grounds for
7 initiating disciplinary action against a physician.

8 20. Respondent’s behavior in telling Patient A that he wanted to put Patient A’s penis
9 in his mouth, that he had a “really nice penis,” and that he should be getting erect while
10 Respondent was performing the examination was humiliating and sexually demeaning to
11 Patient A and thus adversely affected the quality of care rendered to him.

12 21. By reason of the foregoing, Respondent is subject to discipline by the Board as
13 provided in NRS 630.352.

14 COUNT IV

15 **NRS 630.301(11)(c) – Assault with Intent to Commit Sexual Assault**

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

18 23. NRS 630.301(11)(c) provides, in pertinent part, that a conviction of assault with
19 intent to commit sexual assault is grounds for initiating disciplinary action against a physician.

20 24. Respondent was convicted of Assault on or around September 24, 2020, after
21 having been formally charged with crimes relating to sexual abuse. The facts surrounding the
22 incident show a clear indication of sexual intent.

23 25. By reason of the foregoing, Respondent is subject to discipline by the Board as
24 provided in NRS 630.352.

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

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

- 1 2. That the Board set a time and place for a formal hearing after holding an Early
2 Case Conference pursuant to NRS 630.339(3);
- 3 3. That the Board determine what sanctions to impose if it determines there has been
4 a violation or violations of the Medical Practice Act committed by Respondent;
- 5 4. That the Board award fees and costs for the investigation and prosecution of this
6 case as outlined in NRS 622.400;
- 7 5. That the Board make, issue and serve on Respondent its findings of fact,
8 conclusions of law and order, in writing, that includes the sanctions imposed; and
- 9 6. That the Board take such other and further action as may be just and proper in these
10 premises.

11 DATED this 7th day of February, 2024.

12 INVESTIGATIVE COMMITTEE OF THE
13 NEVADA STATE BOARD OF MEDICAL EXAMINERS

14 By: Alexander J. Hinman
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VERIFICATION

STATE OF NEVADA)
 : ss.
COUNTY OF WASHOE)

Bret W. Frey, 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 7th day of February, 2024.

INVESTIGATIVE COMMITTEE OF THE
NEVADA STATE BOARD OF MEDICAL EXAMINERS

By: 

BRET W. FREY, M.D.
Chairman of the Investigative Committee