

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

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In the Matter of Charges and Complaint

Case No. 24-12965-1

Against:

FILED

FRANCIS ESCOLIN JIMENEZ, M.D.,

APR 05 2024

Respondent.

NEVADA STATE BOARD OF
MEDICAL EXAMINERS

By: 

FIRST AMENDED COMPLAINT

The Investigative Committee¹ (IC) of the Nevada State Board of Medical Examiners (Board), by and through its counsel, Alexander J. Hinman, Deputy General Counsel and attorney for the IC, having a reasonable basis to believe that Francis Escolin Jimenez, 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 First Amended Complaint (Complaint), stating the IC's charges and allegations as follows:

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

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

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

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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 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.

11. As demonstrated by, but not limited to, the above-outlined facts, Respondent violated the trust of a patient and exploited the relationship between the Respondent and Patient A by making inappropriate comments and conducting an unprofessional examination, knowing that Patient A had a strong incentive to maintain an ongoing relationship with Respondent for purposes of his employment as a pharmaceutical representative.

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

COUNT II

NRS 630.301(9) - Disreputable Conduct

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

14. NRS 630.301(9) provides that engaging in conduct that brings the medical profession into disrepute is grounds for initiating disciplinary action or denying licensure.

15. Respondent engaged in conduct that brings the medical profession into disrepute by having an inappropriate relationship, and committing a criminal act against Patient A.

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

COUNT III

NRS 630.301(6) – Disruptive Behavior

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

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

19. Respondent's behavior in telling Patient A that he wanted to put Patient A's penis in his mouth, that he had a "really nice penis," and that he should be getting erect while Respondent was performing the examination was humiliating and sexually demeaning to Patient A and thus adversely affected the quality of care rendered to him.

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

COUNT IV

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

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

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

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

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

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 award fees and costs for the investigation and prosecution of this case as outlined in NRS 622.400;

5. 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

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

3 DATED this 5th day of April, 2024.

4 INVESTIGATIVE COMMITTEE OF THE
5 NEVADA STATE BOARD OF MEDICAL EXAMINERS

6 By: Alexander J. Hinman

7 ALEXANDER J. HINMAN

8 Deputy General Counsel

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13 Attorney for the Investigative Committee

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 5th day of April, 2024.

INVESTIGATIVE COMMITTEE OF THE
NEVADA STATE BOARD OF MEDICAL EXAMINERS

By:



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