



I do hereby certify this to be a complete, accurate, and true copy of the document which is on file or is of record in the offices of the Texas Board of Nursing.
Patricia A. Thomas
Executive Director of the Board

**In the Matter of
Permanent Registered Nurse
License Number 830477
Issued to CECIL SALINAS,
Respondent**

**§ BEFORE THE TEXAS
§ BOARD OF NURSING
§ ELIGIBILITY AND
§ DISCIPLINARY COMMITTEE**

ORDER OF THE BOARD

TO: Cecil Salinas
2362 Willow Dr
Portland, TX 78374

During open meeting held in Austin, Texas, on June 9, 2020, the Texas Board of Nursing Eligibility and Disciplinary Committee (hereinafter "Committee") heard the above-styled case, based on the failure of the Respondent to appear as required by 22 TEX. ADMIN. CODE Ch. 213.

The Committee finds that notice of the facts or conduct alleged to warrant disciplinary action has been provided to Respondent in accordance with Texas Government Code § 2001.054(c) and Respondent has been given an opportunity to show compliance with all the requirements of the Nursing Practice Act, Chapter 301 of the Texas Occupations Code, for retention of Respondent's license(s) to practice nursing in the State of Texas.

The Committee finds that the Formal Charges were properly initiated and filed in accordance with section 301.458, Texas Occupations Code.

The Committee finds that after proper and timely Notice regarding the violations alleged in the Formal Charges was given to Respondent in this matter, Respondent has failed to appear in accordance with 22 TEX. ADMIN. CODE Ch. 213.

The Committee finds that the Board is authorized to enter a default order pursuant to Texas Government Code § 2001.056.

The Committee, after review and due consideration, adopts the proposed findings of fact and conclusions of law as stated in the Formal Charges which are attached hereto and incorporated by

reference for all purposes and the Staff's recommended sanction of revocation by default. This Order will be properly served on all parties and all parties will be given an opportunity to file a motion for rehearing [22 TEX. ADMIN. CODE § 213.16(j)]. All parties have a right to judicial review of this Order.

All proposed findings of fact and conclusions of law filed by any party not specifically adopted herein are hereby denied.

NOW, THEREFORE, IT IS ORDERED that Permanent Registered Nurse License Number 830477, previously issued to CECIL SALINAS to practice nursing in the State of Texas be, and the same is/are hereby, REVOKED.

IT IS FURTHER ORDERED that this Order SHALL be applicable to Respondent's nurse licensure compact privileges, if any, to practice nursing in the State of Texas.

Entered this 9th day of June, 2020

TEXAS BOARD OF NURSING

BY: _____



KATHERINE A. THOMAS, MN, RN, FAAN
EXECUTIVE DIRECTOR ON BEHALF OF SAID BOARD

Attachment: Formal Charges filed January 27, 2020

d17r(2020.05.13)

Re: Permanent Registered Nurse License Number 830477
Issued to CECIL SALINAS
DEFAULT ORDER - REVOKE

CERTIFICATE OF SERVICE

I hereby certify that on the 12th day of June, 2020, a true and correct copy of the foregoing DEFAULT ORDER was served and addressed to the following person(s), as follows:

Via USPS Certified Mail, Return Receipt Requested,
Copy Via USPS First Class Mail

Cecil Salinas
2362 Willow Dr
Portland, TX 78374

BY: _____



KATHERINE A. THOMAS, MN, RN, FAAN
EXECUTIVE DIRECTOR ON BEHALF OF SAID BOARD

**In the Matter of
Permanent Registered Nurse
License Number 830477
Issued to CECIL SALINAS,
Respondent**

§
§
§
§
§
§
**BEFORE THE TEXAS
BOARD OF NURSING**

FORMAL CHARGES

This is a disciplinary proceeding under Section 301.452(b), Texas Occupations Code. Respondent, CECIL SALINAS, is a Registered Nurse holding license number 830477 which is in current status at the time of this pleading.

Written notice of the facts and conduct alleged to warrant adverse licensure action was sent to Respondent at Respondent's address of record and Respondent was given opportunity to show compliance with all requirements of the law for retention of the license prior to commencement of this proceeding.

CHARGE I.

On or about July 25, 2019, Respondent was issued an Order of Temporary Suspension by the Commonwealth of Pennsylvania, the State Board of Nursing, Harrisburg, Pennsylvania. A copy of the Commonwealth of Pennsylvania Board of Nursing Order, dated July 25, 2019, is attached and incorporated, by reference, as part of this pleading.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(8), Texas Occupations Code.

NOTICE IS GIVEN that staff will present evidence in support of the recommended disposition of up to, and including, revocation of Respondent's license(s) and/or privilege(s) to practice nursing in the State of Texas pursuant to the Nursing Practice Act, Chapter 301, Texas Occupations Code and the Board's rules, 22 TEX. ADMIN. CODE §§ 213.27 - 213.33.

NOTICE IS GIVEN that all statutes and rules cited in these Charges are incorporated as part of this pleading and can be found at the Board's website, www.bon.texas.gov.


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CONTINUED ON NEXT PAGE.

NOTICE IS GIVEN that, based on the Formal Charges, the Board will rely on the Disciplinary Matrix, located at 22 TEX. ADMIN. CODE §213.33(b), which can be found under the "Discipline & Complaints; Board Policies & Guidelines" section of the Board's website, www.bon.texas.gov.

Filed this 27th day of January, 2020.

TEXAS BOARD OF NURSING


James W. Johnston, General Counsel
Board Certified - Administrative Law
Texas Board of Legal Specialization
State Bar No. 10838300

Jena Abel, Deputy General Counsel
Board Certified - Administrative Law
Texas Board of Legal Specialization
State Bar No. 24036103

Helen Kelley, Assistant General Counsel
State Bar No. 24086520

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State Bar No. 24081149

JoAnna Starr, Assistant General Counsel
State Bar No. 24098463

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State Bar No. 19358600

John Vanderford, Assistant General Counsel
State Bar No. 24086670

333 Guadalupe, Tower III, Suite 460
Austin, Texas 78701
P: (512) 305-8657
F: (512) 305-8101 or (512) 305-7401

D(2020.01.06)

ORIGINAL

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF STATE
BEFORE THE STATE BOARD OF NURSING

2019 JUL 25 AM 11:10

Commonwealth of Pennsylvania,
Bureau of Professional and
Occupational Affairs

v.

Cecil Salinas, R.N.
Respondent

Case No. 19-51-009663

ORDER OF TEMPORARY SUSPENSION AND NOTICE OF HEARING

AND NOW, this 25th day of July 2019, upon review of the Petition for Temporary Suspension of the license to practice as a registered nurse held by Cecil Salinas, R.N. (*hereinafter* "Respondent"), license number RN701857, filed by the Prosecuting Attorney for the Commonwealth of Pennsylvania, the State Board of Nursing (*hereinafter* "Board") makes the following findings and enters the following Order:

SUSPENSION ORDER

The Board finds the Prosecuting Attorney has alleged facts in the Petition, which, if taken as true, establish at each and every count that the Respondent's continued practice as a registered nurse within the Commonwealth of Pennsylvania, along with the exercise of any other licenses, registrations, certificates, approvals, authorizations, or permits (*hereinafter referred to collectively as* "authorizations to practice the profession") issued by the Board, makes Respondent an immediate and clear danger to public health and safety. Therefore in accordance with Section 15.1(a) of the Professional Nursing Law, act of May 22, 1951, P.L. 317, ("Act"), 63 P.S. § 225.1(a), the Board **ORDERS** that the license to practice as a registered nurse issued to the Respondent, license number RN701857, along with any other authorizations to practice the profession issued by the Board to Respondent, are **TEMPORARILY SUSPENDED** upon the service of this Order.

Respondent shall surrender his biennial renewal certificate(s) and wallet card(s) (or notarized affidavit of their loss or destruction) to representatives of the Bureau of Enforcement and Investigation or the Bureau of Professional and Occupational Affairs, immediately upon service of this Order in accordance with Section 15.3 of the Act, 63 P.S. § 225.3.

PRELIMINARY HEARING

A preliminary hearing shall be scheduled and conducted by the Board or Office of Hearing Examiners to be convened within thirty (30) days from the date of issuance of this Order. The preliminary hearing shall be limited to evidence on the issue of whether there is a *prima facie* case to support the temporary suspension of the Respondent's license and other authorizations to practice the profession issued by the Board. The preliminary hearing will be held at a location designated by the Board or a hearing examiner for the Board.

The Respondent is entitled to be present at the preliminary hearing and may be represented by an attorney, cross-examine witnesses, inspect physical evidence, call witnesses, offer evidence and testimony and make a record of the proceedings.

If the Board or hearing examiner finds a *prima facie* case is not established, Respondent's license and other authorizations to practice the profession issued by the Board will be immediately restored. If a *prima facie* case is established, the temporary suspension shall remain in effect until vacated by the Board, but in no event longer than 180 days, unless otherwise ordered or agreed to by the participants.

ADDITIONAL FORMAL ACTION

In addition to this temporary suspension proceeding, the prosecuting attorney will commence a separate action to suspend, revoke or otherwise restrict Respondent's license and other authorizations to practice the profession issued by the Board through the filing of a charging

document, an Order to Show Cause. The Order to Show Cause may include, but not be limited to, the facts which were alleged in the Petition for Immediate Temporary Suspension. Any Order to Show Cause filed by the prosecuting attorney will be served upon the Respondent and the Order will direct Respondent to reply to the charges in a written answer within twenty (20) days of the issuance of the Order to Show Cause. A formal hearing on that Order to Show Cause will then be scheduled and conducted by the Board or the Hearing Examiner for the Board.

PROCEDURES

Continuances will be granted for good cause only. A request for a continuance must be filed with the Prothonotary, in writing, at least one (1) week prior to the date of the hearing. The requirement of the one (1) week advance filing of a request for continuance will be waived only upon a showing of good cause. The failure to have an attorney present and a request for continuance to retain an attorney will not be considered a valid reason for the granting of a continuance on the day of the hearing. **A request by the Respondent for an extension of time or a continuance which will delay the preliminary hearing or the formal hearing must be accompanied by the agreement of the Respondent that the 180-day temporary suspension will continue during whatever additional time is necessary to conclude the proceedings.**

All proceedings are conducted in accordance with the Administrative Agency Law, 2 Pa.C.S. §§ 501-508, 701-704; Act of July 2, 1993, P.L. 345, No. 48 ("ACT 48"), 63 P.S. §§ 2201-2207, *as amended*; and the General Rules of Administrative Practice and Procedure, 1 Pa. Code §§ 31.1-35.251. A record of the hearing will be stenographically prepared by an official reporting service. A copy of the transcript may be secured by personally making arrangements with the reporting service at the time of the hearing.

Any document submitted in this matter must be filed with:

Prothonotary
Department of State
2601 North Third Street
P.O. Box 2649
Harrisburg, PA 17105
717-772-2686

Also, you must send a separate copy of any documents submitted in this matter to the
prosecuting attorney named below at:

Trese M. Evancho
Prosecuting Attorney
Commonwealth of Pennsylvania
Department of State
P.O. Box 69521
Harrisburg, PA 17106-9521

**BY ORDER:
BEFORE THE STATE BOARD OF
NURSING PROBABLE CAUSE
SCREENING PANEL**

Suzanne Hendricks,
BSBH, R.N.,
LPN
Committee Member


APPROVE

DENY

RECUSE

Linda A. Kerns,
Esq.
Committee Member


APPROVE

DENY

RECUSE

Sherri Luchs, R.N.
Committee Member

APPROVE

DENY

RECUSE

Board Counsel:

Megan E. Castor (A-G), Judith Pachter Schulder
(J-R), Ariel E. O'Malley (H, I, S-W), Carole
Clarke Smith (X-Z)

For the Commonwealth:

T'rese M. Evancho
Prosecuting Attorney
Commonwealth of Pennsylvania
Bureau of Professional and Occupational Affairs
P.O. Box 69521
Harrisburg, PA 17106-9521

Respondent:

Cecil Salinas, R.N.
18777 Stone Oak Park #438
San Antonio, TX 78258

Case No.

19-51-009663

Date:

July 25, 2019

ORIGINAL

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF STATE
BEFORE THE STATE BOARD OF NURSING

2019 JUL 25 AM 10:10

Commonwealth of Pennsylvania,
Bureau of Professional and
Occupational Affairs

v.

Case No. 19-51-009663

Cecil Salinas, R.N.
Respondent

PETITION FOR IMMEDIATE TEMPORARY SUSPENSION

AND NOW, the Commonwealth of Pennsylvania, Bureau of Professional and Occupational Affairs, by and through its Prosecuting Attorney, T'rese M. Evancho, petitions the State Board of Nursing (*hereinafter* "Board") for the immediate temporary suspension of the license to practice as a registered nurse issued to **Cecil Salinas, R.N.** (*hereinafter* "Respondent"), along with any other licenses, registrations, certificates, approvals, authorizations, or permits (*hereinafter referred to collectively as* "authorizations to practice the profession") issued by the Board to Respondent at the time this Petition is Granted, pursuant to Section 15.1(a) of the Professional Nursing Law, act of May 22, 1951, P.L. 317, ("Act") as amended, (*hereinafter* "Act"), 63 P.S. § 225.1(a), and in support thereof alleges as follows:

1. Petitioner is a Prosecuting Attorney for the Bureau of Professional and Occupational Affairs, a departmental administrative agency within the Pennsylvania Department of State.
2. Respondent holds a license to practice as a registered nurse in the Commonwealth of Pennsylvania, license no. RN701857.
3. Respondent's license was originally issued on November 8, 2017, expired on April 30, 2019, and, absent further Board action, may be renewed, reactivated or reinstated thereafter upon the filing of the appropriate documentation and payment of the necessary fees.

4. At all times pertinent to the Factual Allegations, Respondent held a license to practice as a registered nurse in the Commonwealth of Pennsylvania.

5. Respondent's last known address on file with the Board is 18777 Stone Oak Park #438, San Antonio, TX 78258.

COUNT ONE

6. Paragraphs 1 through 5 are incorporated by reference.

7. On or about April 9, 2019, criminal charges that had previously been withdrawn against Respondent on or about December 20, 2018, were requested to be re-filed against Respondent.

8. On or about July 12, 2019, in the Court of Common Pleas of Philadelphia County, at docket number CP-51-CR-0004904-2019, Respondent was charged with the following criminal offenses that had been previously filed against him on or about August 18, 2018:

a. Rape Forcible Compulsion, 18 Pa. C.S. § 3121(a)(1), a Felony of the First

Degree;

b. Sexual Assault, 18 Pa. C.S. § 3124.1, a Felony of the Second Degree;

c. Unlawful Restrain/Serious Bodily Injury, 18 Pa. C.S. § 2902(a)(1), a

Misdemeanor of the First Degree;

d. Indecent Exposure, 18 Pa. C.S. § 3127(a), a Misdemeanor of the First Degree;

e. Indecent Assault without Consent of Other, 18 Pa. C.S. § 3126(a)(1), a

Misdemeanor of the Second Degree;

f. Simple Assault, 18 Pa. C.S. § 2701(a), a Misdemeanor of the Second Degree;

g. Recklessly Endangering Another Person, 18 Pa. C.S. § 2705, a Misdemeanor of

the Second Degree;

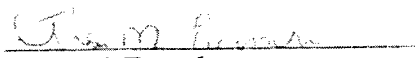
h. False Imprisonment, 18 Pa. C.S. § 2903(a), a Misdemeanor of the Second Degree.

9. A true and correct copy of the criminal records, including the Notice of Refiling of Criminal Complaint and Criminal Complaint, are attached and incorporated as **EXHIBIT A**.

10. Based upon the foregoing factual allegations, the Respondent's continued practice as a registered nurse within the Commonwealth of Pennsylvania, along with the exercise of any other authorizations to practice the profession issued by the Board, makes Respondent an immediate and clear danger to public health and safety.

WHEREFORE, the Petitioner respectfully requests that the Board issue an Order immediately suspending all of Respondent's authorizations to practice the profession issued by the Board, and in particular, the license to practice as a registered nurse, license number RN701857, pursuant to the authority granted to it pursuant to Section 15.1(a) of the Professional Nursing Law, act of May 22, 1951, P.L. 317, ("Act"), 63 P.S. § 225.1(a).

Respectfully submitted,


Trese M. Evancho
Prosecuting Attorney
Commonwealth of Pennsylvania
Department of State
P.O. Box 69521
Harrisburg, PA 17106-9521
(717) 783-7200

DATE: July 24, 2019

ZAK T. GOLDSTEIN, ESQUIRE
Goldstein Mehta LLC
1221 Locust Street
Philadelphia, PA 19107
267-225-2545 t
215-405-2559 f
ztg@goldsteinmehta.com

ATTORNEYS FOR DEFENDANT

COMMONWEALTH OF
PENNSYLVANIA

v.

CECIL SALINAS

PHILADELPHIA COURT OF
COMMON PLEAS
CRIMINAL DIVISION

CP-51-CR-4904-2019

EXHIBIT
A

WAIVER OF APPEARANCE AT ARRAIGNMENT

Defendant Cecil Salinas, by and through counsel, Zak T. Goldstein, Esquire, hereby acknowledges the following:

1. Cecil Salinas is the defendant in the above-captioned matter.
2. Mr. Salinas understands the nature of the charges filed against him in the information.
3. Mr. Salinas understands that he has the right to be represented by counsel.
4. Mr. Salinas understands that he has the right to file pre-trial motions and the time limits in which those motions must be filed.
5. Defendant Cecil Salinas waives his right to appear for arraignment.
6. Defendant Cecil Salinas enters a plea of Not Guilty to all charges.
7. Counsel Zak T. Goldstein, Esquire, has spoken with his client and is authorized to file this Waiver on his behalf.

Dated: July 23, 2019

Respectfully submitted,

/s Zak Goldstein

Zak T. Goldstein
Attorney for Defendant

VERIFICATION

I, Zak T. Goldstein, Esquire, hereby state that the facts above set forth are true and correct (or are true and correct to the best of my knowledge, information and belief). I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 (relating to unsworn falsification to authorities).

Dated: July 23, 2019

/s Zak Goldstein

Zak T. Goldstein, Esquire
Attorney for Defendant

CERTIFICATE OF SERVICE

I do hereby certify that service of a true and correct copy of this waiver was made on the following by e-filing on the below date:

Philadelphia District Attorney's Office

Dated: July 23, 2019

/s Zak Goldstein

Zak T. Goldstein, Esquire
Attorney for Defendant


IN THE MUNICIPAL COURT OF PHILADELPHIA
FIRST JUDICIAL DISTRICT OF THE COMMONWEALTH OF PENNSYLVANIA
COMMONWEALTH OF PENNSYLVANIA : MC-51-CR- 0021206-2018
V. : DC 18-05-015579
CECIL SALINAS : PID 1203305

NOTICE OF REFILEING OF CRIMINAL COMPLAINT

The COMMONWEALTH OF PENNSYLVANIA, by Allison Christian, Assistant District Attorney for the City and County of Philadelphia, hereby refiles the criminal complaint in the above-captioned case. On December 20, 2018 before the Honorable Lydia Kirkland, the complaint was dismissed for lack of prosecution. The Commonwealth requests that the charges of Rape, Sexual Assault, Unlawful Restraint, Indecent Exposure, Simple Assault, Recklessly Endangering Another Person, False Imprisonment and Indecent Assault all be refiled.

The Commonwealth requests that this case be scheduled for a preliminary hearing in courtroom 806 of the Criminal Justice Center on the earliest date possible consistent with the court's calendar.

4/9/2019
Date


Allison Christian
Assistant District Attorney

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF STATE
BEFORE THE STATE BOARD OF NURSING

Commonwealth of Pennsylvania,
Bureau of Professional and
Occupational Affairs

v.

Cecil Salinas, R.N.
Respondent

Case No. 19-51-009663

CERTIFICATE OF SERVICE

I, Trese M. Evancho, hereby certify that I have this 25th day of July 2019, caused a true and correct copy of the foregoing Petition and Order of Immediate Temporary Suspension to be served upon all parties of record in this proceeding in accordance with the requirements of § 33.31 of the General Rules of Administrative Practice and Procedure, 1 Pa. Code § 33.31 (relating to service by the agency).

CERTIFIED MAIL, ELECTRONIC RETURN RECEIPT & FIRST-CLASS MAIL,
POSTAGE PREPAID:

Cecil Salinas, R.N.
18777 Stone Oak Park #438
San Antonio, TX 78258

9171 9690 0935 0200 7011 31

Trese M. Evancho
Trese M. Evancho
Prosecuting Attorney
Commonwealth of Pennsylvania
Department of State

P. O. Box 69521
Harrisburg, PA 17106-9521
(717) 783-7200