



TEXAS MEDICAL BOARD

**REMEDIAL PLAN**  
**ROSALINDA SALAZAR, RCP**  
**LIC. NO. RCP-00072892**

On the 7 day of October, 2016, this matter came on to be heard before the Texas Medical Board (Board). On August 12, 2016, Respondent appeared at an Informal Show Compliance Proceeding and Settlement Conference (ISC) in response to a letter of invitation from the Staff of the Board. This Remedial Plan was offered by Timothy Webb, J.D., a member of the Board, and Melissa Tonn, M.D., a member of a District Review Committee (Panel). Nancy S. Elmilady represented Board Staff and Amy Swanholm prepared this Remedial Plan. Respondent was represented by Lee Buckstein.

**FINDINGS**

Respondent engaged in unprofessional conduct when she posted a video on social media of one patient. The video showed the patient in an intensive care unit and was posted on social media without the patient's knowledge or consent.

Respondent does not admit or deny the Findings and Conclusions of Law contained herein but, rather, has agreed to settle in good faith to avoid the cost, expense, and uncertainty of litigation.

**BOARD HISTORY**

Respondent has no prior Order or Remedial Plan with the Board.

**MITIGATING FACTOR**

1. Respondent has no prior Board history
2. Respondent admitted, and accepted responsibility for her error.
3. Respondent cooperated in the investigation of the allegations that resulted in this Remedial Plan.

### CONCLUSIONS OF LAW

1. The Board has jurisdiction over the subject matter and Respondent pursuant to Respiratory Care Practitioners, Title 3, Subtitle K, Texas Occupations Code (Act).
2. Section 604.201(b)(4) of the Act authorizes the Board to take action against Respondent.
3. Section 604.211(f) of the Act authorizes the Board to resolve this matter with a Remedial Plan.

### REMEDIAL PLAN TERMS

Based on the above, Respondent shall:

1. Within one year from the date of the entry of this Remedial Plan, Respondent shall enroll in and successfully complete at least two hours of continuing education (CE), in the topic of ethics. The CE shall be approved for credits by the American Association for Respiratory Care (AARC) and approved in writing in advance by the Executive Director or their designee. To obtain approval for the course, Respondent shall submit in writing to the Compliance Division of the Board information on the course, to include at least a reasonably detailed description of the course content and faculty, as well as the course location and dates of instruction. Respondent shall submit documentation of attendance and successful completion of this requirement to the Compliance Division of the Board on or before the expiration of the time limit set forth for completion of the course. The CE requirements set forth in this paragraph shall be in addition to all other CE required for licensure maintenance.

2. Within one year from the date of the entry of this Remedial Plan, Respondent shall enroll in and successfully complete a Board-approved course in the Health Insurance Portability and Accountability Act (HIPPA). The course shall be approved in writing in advance by the Executive Director or their designee. To obtain approval for the course, Respondent shall submit in writing to the Compliance Division of the Board information on the course, to include at least a reasonably detailed description of the course content and faculty, as well as the course location and dates of instruction. Respondent shall submit documentation of attendance and

successful completion of this requirement to the Compliance Division of the Board on or before the expiration of the time limit set forth for completion of the course. The requirement set forth in this paragraph shall be in addition to all other training required for licensure maintenance.

3. The cost of administering the Remedial Plan will be \$500 per year. Payment of this cost is due no later than 60 days after the date of entry of this Remedial Plan. The cost shall be paid by cashier's check or money order payable to the Texas Medical Board and shall be submitted to the Executive Director for the Board for routing so as to be remitted to the Comptroller of Texas for deposit in the general revenue fund.

4. The terms of this Remedial Plan are not subject to modification or early termination.

5. Respondent shall comply with all the provisions of the Act and other statutes regulating Respondent's practice.

6. Respondent shall fully cooperate with the Board attorneys, investigators, compliance officers, consultants, and other employees or agents of the Board in any way involved in investigation, review, or monitoring associated with Respondent's compliance with this Remedial Plan.

7. Any violation of the terms, conditions, or requirements of this Remedial Plan by Respondent shall constitute unprofessional conduct likely to deceive or defraud the public, or to injure the public, and shall constitute a basis for disciplinary action by the Board against Respondent pursuant to the Act.

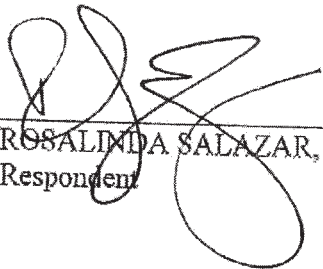
8. This Remedial Plan shall automatically terminate upon Respondent's submission to the Board of evidence deemed to be sufficient by the Compliance Division of the Board that Respondent successfully completed the requirements set forth in the Remedial Plan Terms Paragraph Nos. 1, 2 & 3.

**THIS REMEDIAL PLAN IS A PUBLIC RECORD.**

**THIS REMEDIAL PLAN IS NON-DISCIPLINARY.**

**(SIGNATURE PAGES FOLLOW)**

I, ROSALINDA SALAZAR, RCP, HAVE READ AND UNDERSTAND THE FOREGOING REMEDIAL PLAN. I UNDERSTAND THAT BY SIGNING, I WAIVE CERTAIN RIGHTS. I SIGN IT VOLUNTARILY. I UNDERSTAND THIS REMEDIAL PLAN IS A FINAL, NON-APPEALABLE AGREEMENT THAT CONTAINS THE ENTIRE AGREEMENT AND THERE IS NO OTHER AGREEMENT OF ANY KIND, VERBAL, WRITTEN OR OTHERWISE.

  
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ROSALINDA SALAZAR, RCP  
Respondent

9/28/10  
\_\_\_\_\_  
DATE

SIGNED AND ENTERED by the presiding officer of the Texas Medical Board on this  
7 day of October, 2016.



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Joe Ann Clack, Presiding Officer  
Texas Respiratory Care Board