

In the Matter of Permanent License § BEFORE THE TEXAS
Number 221569, Issued to §
VICENTE MONTEMAYOR JR., Respondent § BOARD OF NURSING

ORDER OF TEMPORARY SUSPENSION

TO: Vicente Montemayor Jr.
c/o Alberto Garcia
422 East Harrison
Harlingen, TX 78550

A public meeting of the Texas Board of Nursing was held on June 7, 2012 at 333 Guadalupe, Suite 3-460, Austin, Texas, in which the Temporary Suspension of Vocational Nurse License Number 221569, issued to VICENTE MONTEMAYOR JR. was considered pursuant to Section 301.455, TEXAS OCCUPATIONS CODE. Staff of the Texas Board of Nursing appeared and presented information and evidence concerning the conduct of VICENTE MONTEMAYOR JR. and whether his continued practice as a nurse would constitute a continuing and imminent threat to the public welfare.

After review and due consideration of the evidence and information presented, the Board finds that the following charges are substantiated:

On or about April 2, 2012, Respondent was arrested by officers of the La Feria Police Department, La Feria, Texas and charged with SEXUAL ASSAULT, involving a fourteen (14) year old female, after officers of the La Feria Police Department observed Respondent and a female who was later identified as being fourteen (14) years old and not the spouse of Respondent, exit from Respondent's vehicle with both Respondent and the fourteen (14) year old female being naked and both stated to officers of the La Feria Police Department that they had engaged in sexual intercourse. The fourteen (14) year old female stated to officers that she had struggled with Respondent but he was too large for her to repel the assault. Respondent was arrested and incarcerated in the La Feria Police Department Jail where he later appeared before a Magistrate and was released on \$20,000.00 bond.



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 Williams
Executive Director of the Board

Respondent's actions constitute a continuing and imminent threat to the public welfare in that a nurse may be require to treat minor children, thereby placing the patients and public in potential danger.

The Texas Board of Nursing further finds that, given the nature of the charges, the continued practice of nursing by VICENTE MONTEMA YOR JR. constitutes a continuing and imminent threat to public welfare and that the temporary suspension of the Vocational Nurse License No. 221569 is justified pursuant to Section 301.455, TEXAS OCCUPATIONS CODE.

NOW, THEREFORE, IT IS ORDERED that Permanent Certificate Number 221569, issued to VICENTE MONTEMA YOR JR., to practice nursing in the State of Texas be, and the same is hereby, SUSPENDED IMMEDIATELY in accordance with Section 301.455, TEXAS OCCUPATIONS CODE.

IT IS FURTHER ORDERED that a probable cause hearing be conducted in accordance with Section 301.455(c) not later than seventeen (17) days following the date of the entry of this order, and a final hearing on the matter be conducted in accordance with 301.455(d) not later than the 61st day following the date of the entry of this order.

Entered this 7th day of June, 2012.

TEXAS BOARD OF NURSING

BY: 
KATHERINE A. THOMAS, MN, RN, FAAN
EXECUTIVE DIRECTOR