



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.
Katherine A. Thomas
Executive Director of the Board

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of Vocational Nurse § AGREED
License Number 184974 §
issued to RUBEN SERNA JR. § ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of RUBEN SERNA JR., Vocational Nurse License Number 184974, hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may have violated Section 302.402(a)(2)&(10)(eff. 9/1/2001), Texas Occupations Code. Respondent waived informal proceedings, notice and hearing, and agreed to the entry of this Order offered on May 2, 2012, by Katherine A. Thomas, MN, RN, FAAN, Executive Director.

FINDINGS OF FACT

1. Prior to the institution of Agency proceedings, notice of the matters specified below in these Findings of Fact was served on Respondent and Respondent was given an opportunity to show compliance with all requirements of the law for retention of the license(s).
2. Respondent waived informal proceedings, notice and hearing, and agreed to the entry of this Order.
3. Respondent is currently licensed to practice vocational nursing in the State of Texas.
4. Respondent received a Certificate in Vocational Nursing from Midland College, Midland, Texas, on May 10, 2002. Respondent was licensed to practice vocational nursing in the State of Texas on July 16, 2002.
5. Respondent's professional nursing employment history is unknown.
6. On or about March 4, 2002, Respondent submitted an Application for Licensure by Examination to the Board of Vocational Nurse Examiners for the State of Texas, in which Respondent provided false, deceptive, and/or misleading information, in that he answered "No" to the question:

“Have you ever been convicted of a misdemeanor other than a minor traffic violation?”

Respondent failed to disclose that on or about September 10, 1997, Respondent pled guilty and was convicted of THEFT BY CHECK/GREATER THAN OR EQUAL TO \$20 BUT LESS THAN \$500, a misdemeanor offense committed on April 28, 1997, in the County Court at Law No. 2 of Ector County, Texas, under Cause No. 97-2484.

Respondent failed to disclose that on or about July 1, 1999, Respondent pled guilty and was convicted of THEFT >=\$20 BUT <\$500 BY CHECK, a class B misdemeanor offense, in the County Court at Law of Ector County, Texas, under Cause No. 98-4105.

Respondent failed to disclose that on or about February 24, 2000, Respondent pled Nolo Contendere and was convicted of ISSUANCE OF WORTHLESS CHECK, a Class C misdemeanor offense, in the County Court of Midland County, Texas, under Cause No. 80976.

7. In Response to Finding of Fact Number Six (6), Respondent states: Respondent was under the impression that the Board did not require information about misdemeanor arrests and convictions. He realizes now that this was a mistake and is sorry.

CONCLUSIONS OF LAW

1. Pursuant to Texas Occupations Code, Sections 301.451-301.555, the Board has jurisdiction over this matter.
2. Notice was served in accordance with law.
3. The evidence received is sufficient to prove violation of Section 302.402(a)(2)&(10)(eff. 9/1/2001), Texas Occupations Code, and 22 TEX. ADMIN. CODE §239.11(8)(eff. 9/1/1999-9/27/2004).
4. The evidence received is sufficient cause pursuant to Section 301.452(b), Texas Occupations Code, to take disciplinary action against Vocational Nurse License Number 184974, heretofore issued to RUBEN SERNA JR., including revocation of Respondent's license(s) to practice nursing in the State of Texas.

ORDER

IT IS THEREFORE AGREED and ORDERED that RESPONDENT SHALL receive the sanction of REMEDIAL EDUCATION AND A FINE, and RESPONDENT SHALL comply in

all respects with the Nursing Practice Act, Texas Occupations Code §§301.001 *et seq.*, the Rules and Regulations Relating to Nurse Education, Licensure and Practice, 22 TEX. ADMIN. CODE §211.1 *et seq.* and this Order.

IT IS FURTHER AGREED and ORDERED that, while under the terms of this Order, this Order SHALL apply to any and all future licenses issued to Respondent to practice nursing in the State of Texas.

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

IT IS FURTHER AGREED and ORDERED that while Respondent's license(s) is/are encumbered by this Order, Respondent may not work outside the State of Texas pursuant to a nurse licensure compact privilege without the written permission of the State of Texas and the Board of Nursing in the party state where Respondent wishes to work.

IT IS FURTHER AGREED that:

(1) RESPONDENT SHALL pay a monetary fine in the amount of two hundred fifty dollars (\$250.00). RESPONDENT SHALL pay this fine within forty-five (45) days of entry of this Order. Payment is to be made directly to the Texas Board of Nursing in the form of cashier's check or U.S. money order. Partial payments will not be accepted.

(2) RESPONDENT SHALL, within one (1) year of entry of this Order, successfully complete a course in Texas nursing jurisprudence and ethics. RESPONDENT SHALL obtain Board approval of the course prior to enrollment only if the course is not being offered by a pre-approved provider. Home study courses and video programs will not be approved. In order for the course to be approved, the target audience shall include nurses. It shall be a minimum of six (6) hours in

length. The course's content shall include the Nursing Practice Act, standards of practice, documentation of care, principles of nursing ethics, confidentiality, professional boundaries, and the Board's Disciplinary Sanction Policies regarding: Sexual Misconduct; Fraud, Theft and Deception; Nurses with Substance Abuse, Misuse, Substance Dependency, or other Substance Use Disorder; and Lying and Falsification. Courses focusing on malpractice issues will not be accepted. RESPONDENT SHALL CAUSE the sponsoring institution to submit a Verification of Course Completion form, provided by the Board, to the Office of the Board to verify RESPONDENT'S successful completion of the course. This course shall be taken in addition to any other courses stipulated in this Order, if any, and in addition to any continuing education requirements the Board has for relicensure. *Board-approved courses may be found at the following Board website address:* <http://www.bon.texas.gov/disciplinaryaction/stipscourses.html>.

IT IS FURTHER AGREED, that upon full compliance with the terms of this Order, all encumbrances will be removed from RESPONDENT'S license(s) to practice nursing in the State of Texas and RESPONDENT shall be eligible for nurse licensure compact privileges, if any.

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RESPONDENT'S CERTIFICATION

I understand that I have the right to legal counsel prior to signing this Agreed Order. I have reviewed this Order. I neither admit nor deny the violations alleged herein. By my signature on this Order, I agree to the Findings of Fact, Conclusions of Law, Order, and any conditions of said Order, to avoid further disciplinary action in this matter. I waive judicial review of this Order. I understand that when this Order becomes final and the terms of this Order become effective, a copy will be mailed to me. I understand that if I fail to comply with all terms and conditions of this Order, I will be subject to investigation and disciplinary sanction, including revocation of my license(s) to practice nursing in the State of Texas, as a consequence of my noncompliance.

Signed this 12 day of JULY, 2012

Ruben Serna Jr.
RUBEN SERNA JR., Respondent

Sworn to and subscribed before me this 12th day of July, 2012

SEAL



[Signature]
Notary Public in and for the State of Texas

Approved as to form and substance.

[Signature]
Darrin Dest, Attorney for Respondent

Signed this 13 day of July, 2012

WHEREFORE, PREMISES CONSIDERED, the Executive Director, on behalf of the Texas Board of Nursing, does hereby ratify and adopt the Agreed Order that was signed on the 12 day of July, 2012, by RUBEN SERNA JR., Vocational Nurse License Number 184974, and said Order is final.



Effective this 23 day of July, 2012.

A handwritten signature in cursive script, reading 'Katherine A. Thomas'.

Katherine A. Thomas, MN, RN, FAAN
Executive Director on behalf
of said Board