



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	§	AGREED
Family Nurse Practitioner with Prescriptive Authority,	§	
Registered Nurse License Number 596459,	§	
& Vocational Nurse License Number 65803	§	
issued to ELIA S. QUIROGA	§	ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of ELIA S. QUIROGA, Family Nurse Practitioner with Prescriptive Authority, Registered Nurse License Number 596459, and Vocational Nurse License Number 65803, hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may have violated Section 301.452(b)(1)&(10), Texas Occupations Code. Respondent waived representation by counsel, informal proceedings, notice and hearing, and agreed to the entry of this Order offered on March 11, 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 representation by counsel, informal proceedings, notice and hearing, and agreed to the entry of this Order.
3. Respondent is currently licensed to practice as a Registered Nurse with Advance Practice Recognition and Prescriptive Authority in the State of Texas. Respondent's Vocational License is inactive.
4. Respondent received a Certificate in Vocational Nursing from School of Vocational Nursing, San Antonio Independent School District, San Antonio, Texas, on September 2, 1975; received a Baccalaureate Degree in Nursing from The University of Texas Health Science Center, San Antonio, Texas, on May 15, 1993; and received a Master of Science in Nursing

from The University of Texas Health Science Center, Family Nurse Practitioner Program, San Antonio, Texas, on December 21, 1996. Respondent was licensed to practice vocational nursing in the State of Texas on November 23, 1975; was licensed to practice professional nursing in the State of Texas on September 22, 1993; became Board recognized as a Family Nurse Practitioner in the State of Texas on March 19, 1997; and became Board recognized as a Family Nurse Practitioner with Prescriptive Authority in the State of Texas on April 23, 1997.

5. Respondent's nursing employment history includes:

09/1993 - 02/1997	Unknown	
03/1997 - 06/2000	Family Nurse Practitioner	South Alamo Medical Group San Antonio, Texas
06/2000 - 05/2002	Family Nurse Practitioner	Urology San Antonio San Antonio, Texas
06/2002	Unknown	
07/2002 - 12/2004	Family Nurse Practitioner	Spectrum Healthcare Resources/ Altos Federal Group at Wilford Hall Medical Center Lackland Air Force Base San Antonio, Texas
12/2004 - 12/2008	Family Nurse Practitioner	EDCare Management, Inc. at Southwest General Hospital Emergency Department
10/2008 - Unknown	Family Nurse Practitioner	Ramon Sanchez, MD San Antonio, Texas
01/2009 - Unknown	Family Nurse Practitioner	Maria Jirka, MD, PA San Antonio, Texas

6. At the time of the initial incident, Respondent was employed as a Family Nurse Practitioner with Ramon Sanchez, MD, San Antonio, Texas and had been in this position for eleven (11) months and was employed as a Family Nurse Practitioner with Maria Jirka, MD, PA, San Antonio, Texas, and had been in this position for eight (8) months.

7. On or about September 1, 2009, through May 4, 2009, Respondent wrote prescriptions for controlled substances without maintaining current controlled substance registration with the Texas Department of Public Safety, as required. Respondent's conduct was likely to deceive the pharmacy by prescribing controlled substances without a valid Controlled Substances Registration in violation of Chapter 481 of the Texas Health and Safety Code.

8. In response to Finding of Fact Number Seven (7), Respondent states that she let her registration lapse as an oversight. Respondent states that when pharmacies started calling the office stating that her registration was expired, she thought they were referring to her Drug Enforcement Administration (DEA) number.

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 301.452(b)(1)&(10), Texas Occupations Code, and 22 TEX. ADMIN. CODE §217.12(1)(A),(1)(B)&(11)(B).
4. The evidence received is sufficient cause pursuant to Section 301.452(b), Texas Occupations Code, to take disciplinary action against Family Nurse Practitioner with Prescriptive Authority, Registered Nurse License Number 596459, and Vocational Nurse License Number 65803, heretofore issued to ELIA S. QUIROGA, 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, 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>.*

(2) RESPONDENT SHALL, within one (1) year of entry of this Order, successfully complete the course "Sharpening Critical Thinking Skills," a 3.6 contact hour online program provided by the National Council of State Boards of Nursing (NCSBN) Learning Extension. In order to receive

credit for completion of this program, RESPONDENT SHALL SUBMIT the continuing education certificate of completion for this program to the Board's office, to the attention of Monitoring. This course is to be taken in addition to any continuing education requirements the Board may have for relicensure. *Board-approved courses may be found at the following Board website address: <http://www.bon.texas.gov/disciplinaryaction/stipscourses.html>.*

(3) RESPONDENT SHALL pay a monetary fine in the amount of five hundred dollars (\$500.00). 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.

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 waive representation by counsel. I have reviewed this Order. I neither admit nor deny the violation 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 April, 2012.

Elia S. Quiroga
ELIA S. QUIROGA, Respondent

Sworn to and subscribed before me this 12 day of April, 2012.



Marie April Mendez
Notary Public in and for the State of Texas

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 12th day of April, 2012, by ELIA S. QUIROGA, Family Nurse Practitioner with Prescriptive Authority, Registered Nurse License Number 596459, and Vocational Nurse License Number 65803, and said Order is final.

Effective this 17th day of April, 2012.



Katherine A. Thomas

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