

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of Registered Nurse	§	AGREED
License Number 632297 and Vocational	§	
Nurse License Number 144266	§	
issued to ALBERTO O. VERA	§	ORDER



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

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of ALBERTO O. VERA, Registered Nurse License Number 632297 and Vocational Nurse License Number 144266, hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may have violated TEX. REV. CIV. STAT. ART. 4525(b)(2)&(9) (eff. 9/1/95). Respondent waived informal proceedings, notice and hearing, and agreed to the entry of this Order offered on April 25, 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 professional nursing in the State of Texas. Respondent holds a license to practice vocational nursing in the State of Texas, which is currently in delinquent status.
4. Respondent received a Certificate in Vocational Nursing from Coastal Bend College- Bee County, Alice, Texas, on August 17, 1993, and an Associate Degree in Nursing from Laredo Community College, Laredo, Texas, on May 1, 1996. Respondent was licensed to practice vocational nursing in the State of Texas in December 1993, and Respondent was licensed to practice professional nursing in the State of Texas in July 16, 1996. Respondent was recognized as an Advanced Practice Nurse Anesthetist by the Board of Nurse Examiners for the State of Texas on December 18, 2002.

5. Respondent's complete nursing employment history is unknown.
6. On or about August 25, 2005, Respondent was issued the sanction of REMEDIAL EDUCATION AND A FINE, by the Board of Nurse Examiners for the State of Texas. A copy of the Findings of Fact, Conclusions of Law, and Agreed Order dated August 25, 2005, is attached and incorporated, by reference, as part of this Order.
7. On or about July 11, 1991, Respondent pled Guilty and was convicted of DRIVING WHILE INTOXICATED, a misdemeanor offense committed on January 23, 1991, in the County Court of Jim Wells County, Texas, under Cause No. 29, 497. As a result of the conviction, Respondent was sentenced to confinement in the Jim Wells County Jail for a period of three (3) days; however, imposition of the sentence of confinement was suspended, and Respondent was placed on probation for a period of two (2) years and ordered to pay a fine and court cost.
8. On or about July 16, 1996, Respondent submitted an Application for Initial Licensure for Graduates of Schools in the United States to the Board of Nurse Examiners for the State of Texas, in which he provided false, deceptive, and/or misleading information, in that he answered "No" to the question:

"Have you ever been convicted of a crime other than minor traffic violations?"

Respondent failed to disclose that, on or about July 11, 1991, Respondent pled Guilty and was convicted of DRIVING WHILE INTOXICATED, a misdemeanor offense committed on January 23, 1991, in the County Court of Jim Wells County, Texas, under Cause No. 29, 497.

9. In response to Findings of Fact Numbers Seven (7) and Eight (8), Respondent states, he asked his Chief Nursing Instructor how to fill out his application for his LVN license and she advised him that he did not need to disclose misdemeanor offenses. His youthful ignorance, with no intent of deception, led him to answer this way only after consultation with his instructor. This is why he answered "No" on his 1996 RN application. Again, he meant no intentional deception and did not mean to mislead the Board.

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 TEX. REV. CIV. STAT. ART. 4525(b)(2)&(9) (eff. 9/1/95), and 22 TEX. ADMIN. CODE §217.13(17).

4. The evidence received is sufficient cause pursuant to Section 301.452(b), Texas Occupations Code, to take disciplinary action against Registered Nurse License Number 632297 and Vocational Nurse License Number 144266, heretofore issued to Alberto O. Vera, 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). 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.

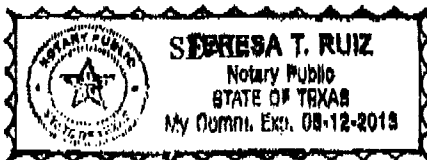
RESPONDENT'S CERTIFICATION

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 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 3 day of Aug., 2012.

Alberto O. Vera
ALBERTO O. VERA, Respondent

Sworn to and subscribed before me this 3 day of Aug., 2012.



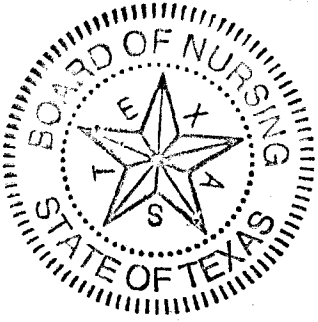
Serresa T. Ruiz
Notary Public in and for the State of TEXAS

Approved as to form and ^{new} substance.

Nancy Roper Willson
NANCY ROPER WILLSON, Attorney for Respondent

Signed this 1st day of August, 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 3rd day of August, 2012, by ALBERTO O. VERA, Registered Nurse License Number 632297 and Vocational Nurse License Number 144266, and said Order is final.



Effective this 14th day of August, 2012.

Katherine A. Thomas

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

BEFORE THE BOARD OF NURSE EXAMINERS
FOR THE STATE OF TEXAS

In the Matter of Registered Nurse License	§	AGREED
Number 632297, and Vocational Nurse	§	
License Number 144266 Issued to	§	
ALBERTO O. VERA, Respondent	§	ORDER

On this day the Board of Nurse Examiners for the State of Texas, hereinafter referred to as the Board, considered the matter of ALBERTO O. VERA, Registered Nurse License Number 632297, and Vocational Nurse License Number 144266, hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may have violated Sections 301.452(b)(10), Texas Occupations Code. Respondent waived informal conference, notice and hearing, and agreed to the entry of this Order offered on April 11, 2005, by Katherine A. Thomas, MN, RN, 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.
2. Respondent waived informal conference, notice and hearing, and agreed to the entry of this Order.
3. Respondent is currently licensed to practice professional nursing in the State of Texas. Respondent holds a license to practice vocational nursing in the State of Texas which is in Delinquent status.
4. Respondent received a Certificate in Vocational Nursing from Coastal Bend College- Bee County, Alice, Texas, on August 17, 1993, and was licensed to practice vocational nursing in the State of Texas in December 1993. Respondent received an Associate Degree in Nursing from Laredo Community College, Laredo, Texas, on May 1, 1996, a Bachelor of Science in Nursing from Texas Tech University Health Sciences Center, Lubbock, Texas, in 1999, and a Master's in Nurse Anesthesia from Texas Wesleyan College, Fort Worth, Texas, in December 2002. Respondent was licensed to practice professional nursing in the State of Texas in July 1996. Respondent was recognized as an Advanced Practice Nurse Anesthetist by the Board of Nurse Examiners for the State of Texas on December 18, 2002.

5. Respondent's vocational and professional nursing employment history includes:

8/93 - 1/95	Staff LVN Skilled Nursing Unit	Alice Physician's & Surgeons Hospital Alice, Texas
1/95 - 4/96 5/96 - 8/96	LVN Charge Nurse RN Charge Nurse Adult Clinic	Texas Department of Criminal Justice Glossbrenner Unit San Diego, Texas
8/96 - 6/97	Nurse Clinical II Cardiothoracic Recovery Adult Critical Care	John Sealy Hospital UTMB-Galveston Galveston, Texas
5/97 - 12/98	Nurse Supervisor Skilled Nursing Unit	Quaker Villa Nursing Home Lubbock, Texas
6/97 - 1/98	Staff Nurse Adult Critical Care	University Medical Center Lubbock, Texas
12/98 - 6/99	Staff Nurse Pulmonary Rehabilitation	I.H.S. Hospital Integrated Health Services Lubbock, Texas
7/99 - 5/00	Unknown	
6/00 - 12/02	Staff Nurse	John Peter Smith Hospital Fort Worth, Texas
12/02 - Unknown	Nurse Anesthetist	John Peter Smith Hospital Fort Worth, Texas

6. At the time of the incident in Finding of Fact Number Seven (7), Respondent was employed as a Nurse Anesthetist with John Peter Smith Hospital, Fort Worth, Texas, and had been in this position for approximately five (5) months.

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7. On or about April 28, 2003, Respondent notified the Board that he had failed the National Certification Examination for Certification of Nurse Anesthetist and was informed that he must cease practice as a Nurse Anesthetist until he had obtained provisional authorization. Provisional authorization requires Board approved sponsorship to directly supervise his practice, pursuant to Section §221.5(d). Respondent failed to comply with the terms of the provisional authorization and sponsorship. On or about July 31, 2003, Respondent received notification that he passed the Certificate Examination and that his certificate was effective as of July 31, 2003. Therefore, from April 28, 2003 through July 31, 2003, Respondent practiced as a Graduate Nurse Anesthetist at John Peter Smith Hospital, Fort Worth, Texas, in violation of the Board of Nurse Examiners for the State of Texas' Rules and Regulations relating to Nurse Education, Licensure and Practice
8. Charges were filed on February 15, 2005.
9. Charges were mailed to Respondent on February 16, 2005.

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 violations of Section 301.452(b)(10), Texas Occupations Code, and 22 TEX. ADMIN. CODE §§217.12(1) and 221.5(d).
4. The evidence received is sufficient cause pursuant to Section 301.452(b), Texas Occupations Code, to take disciplinary action against Registered Nurse License Number 632297 and Vocational Nurse License Number 144266 heretofore issued to ALBERTO O. VERA, including revocation of Respondent's licenses to practice professional and vocational nursing in the State of Texas.

ORDER

IT IS THEREFORE AGREED and ORDERED, subject to ratification by the Board of Nurse Examiners, that RESPONDENT SHALL receive the sanction of REMEDIAL EDUCATION WITH A FINE, and RESPONDENT SHALL comply in all respects with the Nursing Practice Act, Revised Civil Statutes of Texas as amended, Texas Occupations Code §§301.001 *et seq.*, the Rules and Regulations Relating to Professional Nurse Education, Licensure and Practice, 22 TEX. ADMIN. CODE §211.01 *et seq.* and this Order.

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

IT IS FURTHER AGREED and ORDERED that while Respondent's license is encumbered by this Order, Respondent may not work outside the State of Texas pursuant to a multistate licensure 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 deliver the wallet-sized license issued to ALBERTO O. VERA to the office of the Board of Nurse Examiners within ten (10) days of the date of ratification of this Order for appropriate notation.

(2) 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 Board of Nurse Examiners in the form of cashier's check or U.S. money order. Partial payments will not be accepted. (3)

RESPONDENT SHALL, within one (1) year of entry of this Order, successfully complete a course in Texas nursing jurisprudence. 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) contact hours in length. The course's content shall include the Nursing Practice Act, standards of practice, and documentation of care. 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 on the Board's website, www.bne.state.tx.us (under BNE events).*

(4) RESPONDENT SHALL, within one (1) year of entry of this Order, successfully complete a course in nursing 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. The course shall be a minimum of six (6) contact hours in length. In order for the course to be approved, the target audience shall include Nurses. The course shall include content on the following: principles of nursing ethics; confidentiality; and professional boundaries. RESPONDENT SHALL CAUSE the sponsoring institution to submit a Verification of Course Completion form, provided by the Board, to verify RESPONDENT's successful completion of the course. 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 on the Board's website, www.bne.state.tx.us (under BNE events).*

IT IS FURTHER AGREED, that upon full compliance with the terms of this Order, RESPONDENT SHALL be issued an unencumbered license and multistate licensure privileges, if any, to practice nursing in the State of Texas.

RESPONDENT'S CERTIFICATION

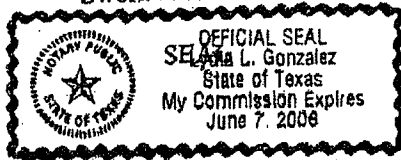
I understand that I have the right to legal counsel prior to signing this Agreed Order. I have reviewed this Order. I neither admit nor deny the violation alleged herein. By my signature on this Order, I agree to the Findings of Fact, Conclusions of Law, Order, and any conditions of said Order, to avoid 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 licenses to practice professional and vocational nursing in the State of Texas, as a consequence of my noncompliance.

Signed this 18th day of August, 2005.

Alberto Vera

ALBERTO O. VERA, Respondent

Sworn to and subscribed before me this 18th day of August, 2005.



Selma L. Gonzalez

Notary Public in and for the State of TEXAS

Approved as to form and substance.

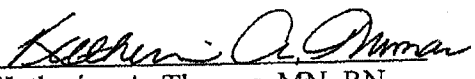
Nancy Roper Willson

NANCY ROPER WILLSON, Attorney for Respondent

Signed this 23rd day of August, 2005

WHEREFORE, PREMISES CONSIDERED, the Executive Director, on behalf of the Board of Nurse Examiners for the State of Texas, does hereby ratify and adopt the Agreed Order that was signed on the 18th day of August, 2005, by ALBERTO O. VERA, Registered Nurse License Number 632297 and Vocational Nurse License Number 144266, and said Order is final.

Effective this 25th day of August, 2005.


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