



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 P. Thomas
Executive Director of the Board

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of Registered Nurse §
License Number 663617 § REINSTATEMENT
issued to CLAUDIA ZAMARRIPA § AGREED ORDER

On this day came to be considered by the Texas Board of Nursing, hereinafter referred to as the Board, the Petition for Reinstatement of Registered Nurse License Number 663617 held by CLAUDIA ZAMARRIPA, hereinafter referred to as Petitioner.

An informal conference was held on March 17, 2009, at the office of the Texas Board of Nursing, in accordance with Section 301.464, Texas Occupations Code.

Petitioner appeared in person. Petitioner was notified of her right to be represented by legal counsel and elected to waive representation by counsel. In attendance were Mary Beth Thomas, PhD, RN, Director of Nursing, Executive Director's Designee; Jena Abel, Assistant General Counsel; Cynthia A. Smith, Supervising Investigator; Greg Wilson, Law Clerk; and Diane E. Burell, Investigator.

FINDINGS OF FACT

1. Prior to institution of Agency proceedings, notice of the matters specified below in these Findings of Fact was served on Petitioner and Petitioner was given an opportunity to show compliance with all requirements of the law for retention of the license.
2. Petitioner waived representation by counsel, notice and hearing, and consented to the entry of this Order.
3. Petitioner received an Associate Degree in Nursing from University of Texas at Brownsville, Brownsville, Texas, on May 1, 1999. Petitioner was originally licensed to practice professional nursing in the State of Texas on August 19, 1999.

4. Petitioner's professional nursing employment history includes:

10/99 - 5/00	Staff Nurse	Valley Baptist Medical Center Harlingen, Texas
6/00 - 9/00	Hospice Nurse Patient Care Coordinator	Omega Hospice Brownsville, Texas
6/00 - 12/00	Agency Nurse	Intensivo Nursing Agency Brownsville, Texas
9/00 - 12/00	Weekend Charge Nurse	Ebony Lake Convalescent Center Brownsville, Texas
01/01 - 4/01	Unknown	
5/01 - 9/06	Agency Nurse	Medical Staffing Network Brownsville, Texas
6/01 - 12/02	Agency Nurse	A.S.A.P. McAllen, Texas
5/02 - 2/06	Agency Nurse	Nursefinders McAllen, Texas
8/05 - 12/05	Staff Nurse	Knapp Medical Center Weslaco, Texas
6/06 - 9/06	Staff Nurse	McAllen Heart Hospital McAllen, Texas
10/06 - present	Not employed in nursing	

5. On February 13, 2007, Petitioner's license to practice professional nursing in the State of Texas was revoked by the Board of Nurse Examiners for the State of Texas. A copy of the Order and Formal Charges is attached and incorporated, by reference, as a part of this Order.

6. On or about October 31, 2008, Petitioner submitted a Petition for Reinstatement of License to practice professional nursing in the State of Texas.
7. Petitioner presented the following in support of her petition:
 - 7.1. Letter, dated January 8, 2008, from Cristina H. Araiza, Community Supervision Officer, Cameron-Willacy Counties, Texas, verifying that Petitioner completed probation under Cause Number 02-CR-1009-A on November 22, 2007.
 - 7.2. Letter, dated September 30, 2008, from Cristina H. Araiza, Community Supervision Officer, Cameron-Willacy Counties, Texas, verifying that Petitioner completed probation under Cause Number 02CCR0006174 on December 3, 2003.
 - 7.3. Letter of support, dated August 18, 2008, from Joe R. Lacher, MSN, RN, CNA, BC, Associate Professor, Director of Associate Degree Nursing, University of Texas at Brownsville, Brownsville, Texas, states Petitioner was a student of his in the Associate Degree Nursing Program from September 9, 1997, to May 28, 1998. During her time, she was well respected by her peers, faculty and patients. She shared her knowledge with others and was interested in improving the healthcare of the valley. Petitioner has made Mr. Lacher aware of the fact that she is in the process of requesting that her license be reinstated. Mr. Lacher knows no reason why she should not be reinstated. From his knowledge of her, she is a caring professional who deserves a chance to have her license back.
 - 7.4. Letter of support from Father Michael Amesse, Immaculate Conception Cathedral, Brownsville, Texas, states Petitioner is a member of the church and he would like to recommend that her nursing license be reinstated.
 - 7.5. Letter of support, dated October 20, 2008, from Pastor Ric Morales, Praise The Lord Worship Center, Brownsville, Texas, states Petitioner congregated at the Praise the Lord Worship Center and gives his recommendation and prays for advancement that she deserves.
 - 7.6. Letter of support, dated March 11, 2008, from Patricia Garcia, Branch Manager, Medical Staffing Network, Harlingen, Texas, states Petitioner worked with the company as a Registered Nurse for a period of five (5) years starting in 2001. As an employee, her evaluations were exemplary. She has proved to be an asset to Medical Staffing Network as well as the medical community. Petitioner's hard work and dedication has proven to be self evident.
 - 7.7. Letter of support, dated September 12, 2008, from Luis Gaitan, MD, PA, Brownsville Neurology & Neurophysiology Clinic, Brownsville, Texas, states he has known Petitioner since she was working at Valley Baptist Medical Center (VBMC). At that

time, she demonstrated professionalism in her career and was a very well dedicated young nurse always asking questions about the neurology patient. She demonstrated a lot of interest in learning. She was very polite with patients as well as to families and to the staff that worked at the hospital. During the time Petitioner worked at VBMC, from 1990 to 2000, she demonstrated good standards. She also did some rotation at Brownsville Community Health Center where she also demonstrated good knowledge about nursing.

- 7.8. Letter of support, dated March 11, 2008, from Abigail Martinez, Bookkeeper, Brownsville, Texas, states Petitioner has been a close friend for several years. Petitioner is of upstanding and moral character and has continually worked diligently in her role as a registered nurse. Ms. Martinez strongly believes that it would be in the best interest of the public for her to be given the opportunity to be accepted back into the field of nursing.
- 7.9. Letter of support, dated August 20, 2008, from Martha A. Cramer, Director, Pregnancy testing Center, Brownsville, Texas, states Petitioner has been a friend of hers for a good time now. She is a knowledgeable and caring individual with good morals and character. Petitioner is a very responsible person. She has exemplary skills in the nursing field and Ms. Cramer strongly believes that Petitioner would be an asset to any company that she is employed with. Ms. Cramer also believes that Petitioner will be committed to her work and in all capacities. The community will benefit given the opportunity for Petitioner to be accepted into the field of nursing again.
- 7.10. Documentation of Petitioner's completion of an Anger Management Program dated July 12, 2003.
- 7.11. Documentation of twenty (20) Type I continuing education hours.

CONCLUSIONS OF LAW

1. Pursuant to Texas Occupations Code, Sections 301.451-301.555, the Board has jurisdiction over this matter.
3. Pursuant to Section 301.467, Texas Occupations Code, the Board may refuse to issue or renew a license, and may set a reasonable period that must lapse before reapplication. Pursuant to 22 TEX. ADMIN. CODE §213.26, the Board may impose reasonable conditions that a Petitioner must satisfy before reissuance of an unrestricted license.

ORDER

IT IS THEREFORE AGREED, subject to ratification by the Texas Board of Nursing, that the petition of CLAUDIA ZAMARRIPA, Registered Nurse License Number 663617, to practice professional nursing in the state of Texas, be and the same is hereby REINSTATED, and subject to the following stipulations so long as the Petitioner complies 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 the stipulations contained in this Order:

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

IT IS FURTHER AGREED and ORDERED that while Petitioner's license is encumbered by this Order, Petitioner 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 Petitioner wishes to work.

(1) PETITIONER SHALL NOT seek employment or practice nursing for compensation until she has paid all re-registration fees and is issued a license to practice nursing in the State of Texas, which shall bear the appropriate notation. Said license issued to CLAUDIA ZAMARRIPA, shall be subject to the following agreed post-licensure probation conditions:

(2) PETITIONER SHALL, within one (1) year of relicensure, successfully complete a course in Texas nursing jurisprudence and ethics. PETITIONER 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, 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. PETITIONER 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 PETITIONER'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.state.tx.us/disciplinary action](http://www.bon.state.tx.us/disciplinary%20action).

IT IS FURTHER AGREED, SHOULD PETITIONER CHOOSE TO WORK AS A NURSE IN TEXAS, PETITIONER WILL PROVIDE DIRECT PATIENT CARE AND PRACTICE IN A HOSPITAL, NURSING HOME, OR OTHER CLINICAL SETTING A MINIMUM OF SIXTY-FOUR (64) HOURS PER MONTH UNDER THE FOLLOWING PROBATION CONDITIONS FOR ONE (1) YEAR OF EMPLOYMENT. THE LENGTH OF THE PROBATION PERIOD WILL BE EXTENDED UNTIL SUCH TWELVE (12) MONTHS HAVE ELAPSED. PERIODS OF UNEMPLOYMENT OR OF EMPLOYMENT THAT DO NOT REQUIRE THE USE OF A REGISTERED NURSE (RN) LICENSE WILL NOT APPLY TO THIS PROBATION PERIOD:

(3) PETITIONER SHALL notify all future employers in nursing of this Order of the Board and the stipulations on PETITIONER's license. PETITIONER SHALL present a complete copy of this Order and all Proposals for Decision issued by the Administrative Law Judge, if any, to each future employer prior to accepting an offer of employment.

(4) PETITIONER SHALL CAUSE each present employer in nursing to submit the Notification of Employment form, which is provided to the PETITIONER by the Board, to the Board's office within ten (10) days of receipt of this Order. PETITIONER SHALL CAUSE each future employer to submit the Notification of Employment form, which is provided to the PETITIONER by the Board, to the Board's office within five (5) days of employment as a nurse.

(5) PETITIONER SHALL be supervised by a Registered Nurse who is on the premises. The supervising nurse is not required to be on the same unit or ward as PETITIONER, but should be on the facility grounds and readily available to provide assistance and intervention if necessary. The supervising nurse shall have a minimum of two (2) years experience in the same or similar practice setting to which the PETITIONER is currently working. PETITIONER SHALL work only regularly assigned, identified and predetermined unit(s). PETITIONER SHALL NOT be employed by a nurse registry, temporary nurse employment agency, hospice, or home health agency. PETITIONER SHALL NOT be self-employed or contract for services. Multiple employers are prohibited.

(6) PETITIONER SHALL CAUSE each employer to submit, on forms provided to the PETITIONER by the Board, periodic reports as to PETITIONER's capability to practice nursing. These reports shall be completed by the Registered Nurse who supervises the PETITIONER. These reports shall be submitted by the supervising nurse to the office of the Board at the end of each three (3) month period for one (1) year of employment as a nurse.

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

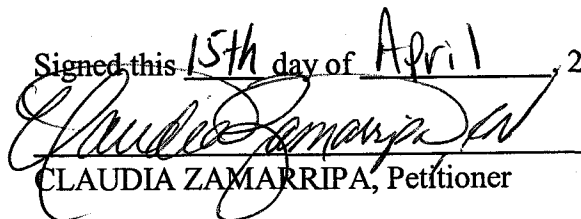
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PETITIONER'S CERTIFICATION

I understand that I have the right to legal counsel prior to signing this Reinstatement Agreed Order. I waive representation by counsel. I certify that my past behavior, except as disclosed in my Petition for Reinstatement of Licensure, has been in conformity with the Board's professional character rule. I have provided the Board with complete and accurate documentation of my past behavior in violation of the penal law of any jurisdiction which was disposed of through any procedure short of convictions, such as: conditional discharge, deferred adjudication or dismissal. I have no criminal prosecution pending in any jurisdiction.

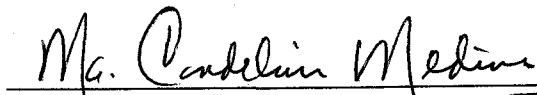
I have reviewed this Order. By my signature on this Order, I agree to the Findings of Fact, Conclusions of Law, Order, and any conditions of said Order. I waive judicial review of this Order. I understand that this Order is subject to ratification by the Board. When this Order is ratified, the terms of this Order become effective, and a copy will be mailed to me. I agree to inform the Board of any other fact or event that could constitute a ground for denial of licensure prior to reinstating my license to practice professional nursing in the state of Texas. I understand that if I fail to comply with all terms and conditions of this Order, my license to practice professional nursing in the State of Texas will be revoked, as a consequence of my noncompliance.

Signed this 15th day of April, 2009.


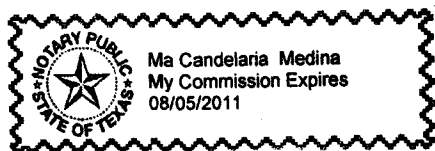
CLAUDIA ZAMARRIPA, Petitioner

Sworn to and subscribed before me this 15th day of April, 2009.

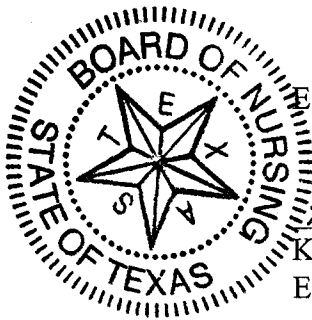
SEAL



Notary Public in and for the State of Texas



WHEREFORE, PREMISES CONSIDERED, the Board of Nurse Examiners for the State of Texas does hereby ratify and adopt the Reinstatement Agreed Order that was signed on the 15th day of April, 2009, by CLAUDIA ZAMARRIPA, Registered Nurse License Number 663617, and said Order is final.



Effective this 12th day of May, 2009.

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

IN THE MATTER OF	§	BEFORE THE ELIGIBILITY
PERMANENT CERTIFICATE	§	AND DISCIPLINARY
NUMBER 663617	§	COMMITTEE OF THE BOARD
ISSUED TO	§	OF NURSE EXAMINERS OF THE
CLAUDIA ZAMARRIPA	§	STATE OF TEXAS

ORDER OF THE BOARD

TO: Claudia Zamarripa
110 Helen Ln
Brownsville, Texas 78520

During open meeting held in Austin, Texas, on February 13, 2007, the Eligibility and Disciplinary Committee (hereinafter "Committee") heard the above-styled case. This case was heard, and based on the failure of the Respondent to file a written response to the Formal Charges as required by 22 TEX. ADMIN. CODE § 213.16.

The Committee of the Board of Nurse Examiners finds that notice of the facts or conduct alleged to warrant disciplinary action has been provided to Respondent in accordance with Texas Government Code § 2001.054(c) and Respondent has been given an opportunity to show compliance with all the requirements of the Nursing Practice Act, chapter 301 of the Texas Occupations Code, for retention of Respondent's license to practice professional nursing in the State of Texas.

The Committee finds that the Formal Charges were properly initiated and filed in accordance with section 301.458, Texas Occupations Code.

The Committee finds that after proper and timely notice of the violations alleged in the Formal Charges were given to Respondent in this matter, Respondent has failed to file an answer in accordance with 22 TEX. ADMIN. CODE § 213.16.

The Committee finds that the Board is authorized to enter a default order pursuant to Texas Government Code § 2001.056 and 22 TEX. ADMIN. CODE § 213.16.

The Eligibility and Disciplinary Committee, after review and due consideration, adopts the proposed findings of fact and conclusions of law as stated in the Formal Charges which are attached hereto and incorporated by reference for all purposes and the Staff's recommended sanction of revocation by default. This Order will be properly served on all parties and all parties will be given an opportunity to file a motion to set aside the default order (22 TEX. ADMIN.CODE § 213.16(j)). All parties have a right to judicial review of this Order.

All proposed findings of fact and conclusions of law filed by any party not specifically adopted herein are hereby denied.

NOW, THEREFORE, IT IS ORDERED that Permanent Certificate Number 663617, previously issued to CLAUDIA ZAMARRIPA, to practice professional nursing in the State of Texas be, and the same is hereby, REVOKED.

IT IS FURTHER ORDERED that Permanent Certificate Number 663617, previously issued to CLAUDIA ZAMARRIPA, upon receipt of this Order, be immediately delivered to the office of the Board of Nurse Examiners for the State of Texas.

IT IS FURTHER ORDERED that this Order SHALL be applicable to Respondent's multi-state privilege, if any, to practice professional nursing in the State of Texas.

Entered this 13th day of February, 2007.

BOARD OF NURSE EXAMINERS
FOR THE STATE OF TEXAS

BY:



KATHERINE A. THOMAS, MN, RN
EXECUTIVE DIRECTOR ON BEHALF OF SAID BOARD

Re: Permanent Certificate Number 663617
Issued to CLAUDIA ZAMARRIPA
DEFAULT ORDER -REVOKE

CERTIFICATE OF SERVICE

I hereby certify that on the 20th day of February, 2007, a true and correct copy of the foregoing DEFAULT ORDER was served by placement in the U.S. Mail via certified mail, and addressed to the following person(s):

Claudia Zamarripa
110 Helen Ln
Brownsville, Texas 78520

BY:

Katherine A. Thomas
KATHERINE A. THOMAS, MN, RN
EXECUTIVE DIRECTOR ON BEHALF OF SAID BOARD

In the Matter of Permanent License
Number 663617, Issued to
CLAUDIA ZAMARRIPA, Respondent

§
§
§

**BEFORE THE BOARD
OF NURSE EXAMINERS
FOR THE STATE OF TEXAS**

FORMAL CHARGES

This is a disciplinary proceeding under Section 301.452(b), Texas Occupations Code. Respondent, CLAUDIA ZAMARRIPA, is a Registered Nurse holding license number 663617, which is in current status at the time of this pleading.

Written notice of the facts and conduct alleged to warrant adverse licensure action was sent to Respondent at Respondent's address of record and Respondent was given opportunity to show compliance with all requirements of the law for retention of the license prior to commencement of this proceeding.

CHARGE I.

On or about November 25, 2002, Respondent plead "Guilty" to AGGRAVATED ASSAULT (a 2nd Degree Felony Offense committed May 4, 2002), under Cause Number 02-CR-1009-A, in the 107th Judicial District Court of Cameron County, Texas. As a result of the plea, Respondent, under an ORDER OF DEFERRED ADJUDICATION, was placed on Community Supervision for a period of five (5) years, ordered to pay restitution in the amount of one thousand seven hundred ninety-seven dollars and seventy-five cents (\$1,797.75), and ordered to pay a fine in the amount of five hundred dollars (\$500.00).

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(10), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.12(1).

CHARGE II.

On November 3, 2003, Respondent plead "No Contest," to CRIMINAL TRESPASS, (a Class A Misdemeanor Offense committed October 14, 2002), under Cause Number 02CCR0006174, in the Cameron County Court of Law of Cameron County, Texas. As a result of the plea, Respondent, under DEFERRED ADJUDICATION PROBATION, was placed on Community Supervision for a period of thirty (30) days and ordered to pay a fine in the amount of one hundred dollars (\$100.00).

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(3) & (10), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.12(1).

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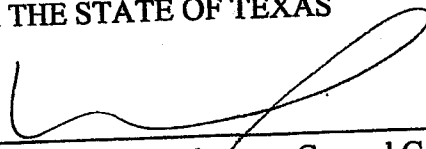
NOTICE IS GIVEN that staff will present evidence in support of the recommended disposition of revocation of Respondent's license to practice nursing in the State of Texas pursuant to the Board's rules, 22 TEX. ADMIN. CODE §§ 213.27 - 213.33. Additionally, staff will seek to impose on Respondent the administrative costs of the proceeding pursuant to § 301.461, TEX. OCC. CODE ANN. The cost of proceedings shall include, but is not limited to, the cost paid by the board to the State Office of Administrative Hearings and the Office of the Attorney General or other Board counsel for legal and investigative services, the cost of a court reporter and witnesses, reproduction of records, board staff time, travel, and expenses. These shall be in an amount of at least one thousand two hundred dollars (\$1200.00).

NOTICE IS GIVEN that all statutes and rules cited in these Charges are incorporated as part of this pleading and can be found at the Board's website, www.bne.state.tx.us.

NOTICE IS GIVEN that to the extent applicable, based on the Formal Charges, the Board will rely on Adopted Disciplinary Sanction Policies for Nurses which can be found at the Board's website, www.bne.state.tx.us.

Filed this 6 day of November, 2006

**BOARD OF NURSE EXAMINERS
FOR THE STATE OF TEXAS**


James W. Johnston, General Counsel
Board Certified - Administrative Law
Texas Board of Legal Specialization
State Bar No. 10838300

Victoria Cox, Assistant General Counsel
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