



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  
Registered Nurse License Number 742727 §  
issued to ANTONIO ARTURO VASQUEZ § ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of ANTONIO ARTURO VASQUEZ, Registered Nurse License Number 742727, hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may be subject to discipline pursuant to Section 301.452(b)(10)&(13) and 301.453, Texas Occupations Code. Respondent waived informal proceedings, notice and hearing, and agreed to the entry of this Order approved by Katherine A. Thomas, MN, RN, FAAN, Executive Director, on December 4, 2012, subject to ratification by the Board.

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.
4. Respondent received an Associate Degree in Nursing from San Jacinto College South, Houston, Texas on May 11, 2007. Respondent was licensed to practice professional nursing in the State of Texas on June 19, 2007.
5. Respondent's nursing employment history includes:
 

6/2007-10/2010	RN	St. Luke's Episcopal Hospital Houston, Texas
----------------	----	---

Respondent's nursing employment history continued:

11/2010 - present                      Unknown

6. At the time of the initial incident, Respondent was employed as a RN with St. Luke's Episcopal Hospital, Houston, Texas, and had been in this position for two (2) years and ten (10) months.
7. On or about April 29, 2010, while working as a Registered Nurse at St. Luke's Episcopal Hospital, Houston, Texas, Respondent failed to reassess Patient Medical Record 01151470, as ordered, after a report that the patient's blood glucose level was "70" at 3:46 a.m. Consequently, at 11:55 a.m., the patient's blood glucose level dropped to eighteen (18), requiring the patient to be given a intravenous bolus of fifty percent Dextrose and a continuous intravenous infusion of ten percent Dextrose. Respondent's conduct placed the patient at risk of hypoglycemia, which can result in a decreased level of consciousness and seizures.
8. On or about April 29, 2010, while working as a Registered Nurse at St. Luke's Episcopal Hospital, Houston, Texas, Respondent failed to reassess Patient Medical Record 01151470 at 8:00 a.m. after the patient's Potassium level was at 3.0 at 3:46 a.m., requiring the patient to undergo treatment. Respondent's conduct deprived the patient of timely detection and intervention, which placed the patient at risk of cardiac arrhythmias resulting from low potassium levels.
9. On or about April 29, 2010, while working as a Registered Nurse at St. Luke's Episcopal Hospital, Houston, Texas, Respondent failed to document the nursing interventions required to stabilize Patient Medical Record 01151470, who had experienced critically low potassium and glucose lab results. Respondent's failure to document was likely to injure the patient in that it deprived subsequent care givers of essential information to provide ongoing medical care for the patient.
10. On or about May 5, 2010, while working as a Registered Nurse at St. Luke's Episcopal Hospital, Houston, Texas, Respondent failed to complete documentation on the admission assessment of Patient Medical Record 00780819 regarding sedation level, pain assessment, alarm parameters and patient care interventions, despite being instructed to do so by the Quality Coordinator. Respondent's failure to document was likely to injure the patient in that it deprived subsequent care givers of essential information to provide ongoing medical care for the patient.
11. On or about October 6, 2010, while working as a Registered Nurse at St. Luke's Episcopal Hospital, Houston, Texas, Respondent failed to assess and intervene regarding the difficult effort Patient Medical Record Number 02183631 was having with each respiration. Consequently, the patient had a fluid volume excess of 2,647 ml, requiring suctioning and diuretics to stabilize the patient's condition. Respondent's conduct placed the patient at risk of harm related to fluid volume overload.

12. Charges were filed and mailed to Respondent on August 15, 2012.
13. In response to Findings of Fact Numbers Seven (7) through Eleven (11), Respondent admits failing to re-draw the glucose level six hours after the 3:46 a.m. lab draw due to being busy emergently intubating the patient and preparing the patient for priority listing for a possible liver transplant. Respondent adds, the patient required an emergent Continuous Veno-Venous Hemodialysis at 11:00 at which time he re-drew the glucose lab. In response to Finding of Fact Number Eight (8), Respondent admits he should have verified that the night nurse placed an order for the follow-up potassium to be drawn at 7:46 a.m., but he was very busy with the tasks involved with this critically ill patient, Respondent points out the night nurse only replaced 20 mEq of Potassium in divided doses per physician's order. In response to Finding of Fact Number Nine (9), Respondent neither admits nor denies and states he should have advocated for this patient to have become a 1:1. He further adds, he was overwhelmed and should have asked his charge nurse for help. In response to Finding of Fact Number Ten (10), Respondent admits failing to document the patient's sedation level, pain assessment, alarm parameters and interventions. He further adds that he doesn't recall being instructed by the quality coordinator to do so. He admits to failing to complete the entire form and doesn't recall what caused him to fail to document. Respondent states although he failed to document said information, he can assure that at no time was his patient neglected, in pain that was left untreated, nor was his patient ever in any distress associated with over sedation requiring interventions of possible reversal agents. Respondent realizes that documentation is a key aspect of nursing care. In response to Finding of Fact Number Eleven (11), Respondent denies that the patient had copious amounts of frothy sputum. Respondent points out the Respiratory Therapist also noted the patient showed no signs of respiratory distress by documenting the patient had coarse rhonchi but improved after breathing treatments but there was no documentation of frothy sputum seen. Respondent states the patient didn't exhibit objective symptoms that indicated "pulmonary edema."

#### 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(s) of 22 TEX. ADMIN. CODE §217.11(1)(B),(1)(D),(1)(M)&(3)(A) and 22 TEX. ADMIN. CODE §217.12(1)(A),(1)(B),(1)(C)&(4).
4. The evidence received is sufficient cause pursuant to Section 301.452(b)(10)&(13), Texas Occupations Code, to take disciplinary action against Registered Nurse License Number 742727, heretofore issued to ANTONIO ARTURO VASQUEZ, including revocation of Respondent's license(s) to practice nursing in the State of Texas.

#### ORDER

IT IS THEREFORE AGREED and ORDERED, subject to ratification by the Texas Board of Nursing, that RESPONDENT SHALL receive the sanction of a REPRIMAND WITH STIPULATIONS, 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 Texas Board of Nursing 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 a course in physical assessment. RESPONDENT SHALL obtain Board approval of the course prior to enrollment. Home study courses and video programs will not be approved. In order for the course to be approved, the target audience shall include Nurses. The didactic portion of this course shall be a minimum of six (6) hours in length. RESPONDENT SHALL perform physical assessments on live patients in a clinical setting for a minimum of twenty-four (24) hours. The clinical component SHALL focus on tasks of physical assessment only and shall be provided by the same Registered Nurse who provides the didactic portion of this course. To be approved, the course shall cover all systems of the body. Performing assessments on mock patients or mannequins WILL NOT be accepted. The course description shall indicate goals and objectives for the course, resources to be utilized, and the methods to be used to determine successful completion of the course. RESPONDENT SHALL successfully complete both the didactic and clinical portions of the course to satisfy this stipulation. RESPONDENT SHALL CAUSE the instructor 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>*

(3) RESPONDENT SHALL, within one (1) year of entry of this Order, successfully complete a course in nursing documentation. 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) hours in length of classroom time. In order for the course to be approved, the target audience shall include Nurses. The course shall include content on the following: nursing standards related to accurate and complete documentation; legal guidelines for recording; methods and processes of recording; methods of alternative record-keeping; and computerized documentation. RESPONDENT SHALL cause the instructor to submit a Verification of Course Completion form, provided by the Board, to the Board's office 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>*

(4) 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>

**IT IS FURTHER AGREED, SHOULD RESPONDENT PRACTICE AS A NURSE IN THE STATE OF TEXAS, RESPONDENT WILL PROVIDE DIRECT PATIENT CARE AND PRACTICE IN A HOSPITAL, NURSING HOME, OR OTHER CLINICAL SETTING AND RESPONDENT MUST WORK IN SUCH SETTING A MINIMUM OF SIXTY-FOUR (64) HOURS PER MONTH UNDER THE FOLLOWING STIPULATIONS FOR TWO (2) YEARS OF EMPLOYMENT. THE LENGTH OF THE STIPULATION PERIOD WILL BE EXTENDED UNTIL SUCH TWENTY-FOUR (24) MONTHS HAVE ELAPSED. PERIODS OF UNEMPLOYMENT OR OF EMPLOYMENT THAT DO NOT REQUIRE THE USE OF A REGISTERED NURSE (RN) OR A VOCATIONAL NURSE (LVN) LICENSE, AS APPROPRIATE, WILL NOT APPLY TO THIS STIPULATION PERIOD:**

(5) RESPONDENT SHALL notify each present employer in nursing of this Order of the Board and the stipulations on RESPONDENT'S license(s). RESPONDENT SHALL present a complete copy of this Order and all Proposals for Decision issued by the Administrative Law Judge, if any, to each present employer within five (5) days of receipt of this Order. RESPONDENT SHALL notify all future employers in nursing of this Order of the Board and the stipulations on RESPONDENT'S license(s). RESPONDENT 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.

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

(7) For the first year of employment as a Nurse under this Order, RESPONDENT SHALL be directly supervised by a Registered Nurse, if licensed as a Registered Nurse, or by a Licensed Vocational Nurse or a Registered Nurse, if licensed as a Licensed Vocational Nurse. Direct supervision requires another nurse, as applicable, to be working on the same unit as RESPONDENT and immediately available to provide assistance and intervention. RESPONDENT SHALL work only on regularly assigned, identified and predetermined unit(s). The RESPONDENT SHALL NOT be employed by a nurse registry, temporary nurse employment agency, hospice, or home health agency. RESPONDENT SHALL NOT be self-employed or contract for services. Multiple employers are prohibited.

(8) For the remainder of the stipulation period, RESPONDENT SHALL be supervised by a Registered Nurse, if licensed as a Registered Nurse, or by a Licensed Vocational Nurse or a Registered Nurse, if licensed as a Licensed Vocational Nurse, who is on the premises. The supervising nurse is not required to be on the same unit or ward as RESPONDENT, 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 Respondent is currently working. RESPONDENT SHALL work only regularly assigned, identified and predetermined unit(s). RESPONDENT SHALL NOT be employed by a nurse registry, temporary nurse employment agency, hospice, or home health agency. RESPONDENT SHALL NOT be self-employed or contract for services. Multiple employers are prohibited.

(9) RESPONDENT SHALL CAUSE each employer to submit, on forms provided to the Respondent by the Board, periodic reports as to RESPONDENT'S capability to practice nursing. These reports shall be completed by the nurse who supervises the RESPONDENT. 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 two (2) years 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 RESPONDENT'S license(s) to practice nursing in the State of Texas and RESPONDENT shall be eligible for nurse licensure compact privileges, if any.

BALANCE OF THIS PAGE INTENTIONALLY LEFT BLANK.

CONTINUED ON NEXT PAGE.

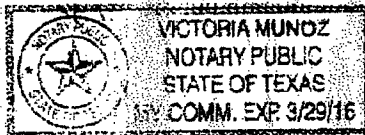
RESPONDENT'S CERTIFICATION

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(s) 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 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 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 licensure to practice nursing in the State of Texas, as a consequence of my noncompliance.

Signed this 12 day of March, 2013

Antonio Arturo Vasquez  
ANTONIO ARTURO VASQUEZ, RESPONDENT

Sworn to and subscribed before me this 12 day of March, 2013



Victoria Munoz  
Notary Public in and for the State of Texas

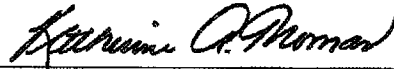
Approved as to form and substance,

Taralynn R. Mackay  
Taralynn Mackay, Attorney for Respondent

Signed this 14th day of March, 2013

WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Agreed Order that was signed on the 12th day of March, 2013, by ANTONIO ARTURO VASQUEZ, Registered Nurse License Number 742727, and said Order is final.

Effective this 18th day of April, 2013.



---

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