



Executive Director of the Board

BEFORE THE TEXAS BOARD OF NURSING

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In the Matter of § AGREED  
Registered Nurse License Number 608621 §  
issued to GONZALO CHAVEZ CHAVEZ § ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of GONZALO CHAVEZ CHAVEZ, Registered Nurse License Number 608621, hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may be subject to discipline pursuant to TEX. REV. CIV. STAT. ART. 4525(b)(2)&(9) and Section 301.452(b)(2)&(10), 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 February 16, 2013.

## 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 Del Mar College, Corpus Christi, Texas, on May 1, 1992. Respondent was licensed to practice professional nursing in the State of Texas on July 28, 1994.
5. Respondent's nursing employment history is includes:

1992-2000

Staff Nurse

Bay Area Hosptial  
Corpus Christi, Texas

Respondent's professional nursing employment history (continued):

2000-2002	Staff Nurse	Heart Hospital Corpus Christi, Texas
2002- Present	Emergency Room Nurse	Care Regional Medical Center Aransas Pass, Texas

6. On or about May 11, 1992, Respondent submitted a Registration by Examination to the Board of Nurse Examiner 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 the that on or about June 15, 1983, Respondent entered a plea of Guilty and was convicted of UNLAWFUL CARRYING WEAPON (HANDGUN), a misdemeanor offense committed March 18, 1983, in the County Court of Law of San Patricio County, Texas, under Cause No. 22582. As a result of the conviction, Respondent was ordered to pay a fine and court costs.

7. On or about October 20, 2009, Respondent submitted a Online Renewal document Registered Nurse to the Texas Board of Nursing in which he provided false, deceptive, and/or misleading information, in that he answered "No" to the question:

"Have you, within the past 24 months or since your last renewal, for any criminal offense, including those pending appeal:

- A. been convicted of a misdemeanor?
- B. been convicted of a felony?
- C. pled nolo contendere, no contest, or guilty?
- D. received deferred adjudication?
- E. been placed on community supervision or court-ordered probation, whether or not adjudicated guilty?
- F. been sentenced to serve jail or prison time? court-ordered confinement?
- G. been granted pre-trial diversion?
- H. been arrested or have any pending criminal charges?
- I. been cited or charged with any violation of the law?
- J. been subject of a court-martial; Article 15 violation; or received any form of military judgment/punishment/action?"

Respondent failed to disclose that on or about August 9, 2006, Respondent was arrested by the Portland Police department, Texas, and subsequently charged under Cause No. 66207

with DRIVING WHILE INTOXICATED, a Class B Misdemeanor offense. On or about April 14, 2008, Cause No. 66207 was dismissed in the County Court at Law No. San Patricio County, Texas, for the reason, the defendant has successfully completed Pre-Trial diversion.

8. In response to Findings of Fact Numbers Six (6) and Seven (7), Respondent states when he completed his initial registration by exam, he was under the misconception that upon payment of the fine that the conviction had been resolved and that the conviction was subject to a five-year statute of limitations, he did not report this conviction to the Board. With respect to the August 9, 2006 arrest, upon reviewing question two for the online renewal document, respondent realized he should have answered yes.

#### 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 §217.12(6)(I)&(13). and 22 TEX. ADMIN. CODE §217.13(15).
4. The evidence received is sufficient cause pursuant to TEX. REV. CIV. STAT. ART. 4525(b)(2)&(9) and Section 301.452(b)(2)&(10), Texas Occupations Code, to take disciplinary action against, Registered Nurse License Number 608621, heretofore issued to GONZALO CHAVEZ CHAVEZ, 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 a 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 one thousand (\$1000) dollars. RESPONDENT SHALL pay this fine within (90) 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

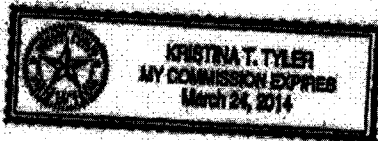
I understand that I have the right to legal counsel prior to signing this Agreed Order. I have reviewed this Order. I neither admit nor deny the violation(s) alleged herein. By my signature on this Order, I agree to the Findings of Fact, Conclusions of Law, Order, and any conditions of said Order, to avoid further disciplinary action in this matter. I waive judicial review of this Order. I understand that 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 8 day of June, 2013.

Gonzalo C. Chavez  
GONZALO CHAVEZ CHAVEZ, Respondent

Sworn to and subscribed before me this 8 day of June, 2013.

SEAL



Kristina Tyler

Notary Public in and for the State of Texas

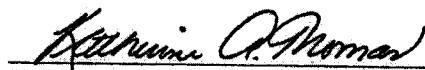
Approved as to form and substance.

Amanda J. Ellis  
Amanda J. Ellis, Attorney for Respondent

Signed this 11 day of June, 2013.

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 8th day of June, 2013, by GONZALO CHAVEZ CHAVEZ, , Registered Nurse License Number 608621, and said Order is final.

Effective this 14th day of June, 2013.



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