



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
Vocational Nurse License Number 115150
issued to CORINA GUTIERREZ ACOSTA

§ AGREED
§
§ ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of CORINA GUTIERREZ ACOSTA, Vocational Nurse License Number 115150, 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), Texas Occupations Code. Respondent waived representation by counsel, informal proceedings, notice and hearing, and agreed to the entry of this Order approved by Katherine A. Thomas, MN, RN, FAAN, Executive Director, on July 23, 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 representation by counsel, informal proceedings, notice and hearing, and agreed to the entry of this Order.
3. Respondent is currently licensed to practice vocational nursing in the State of Texas.
4. Respondent received an Certificate in Nursing from Valley Baptist Medical Center, Harlingen, Texas, on July 25, 1986. Respondent was licensed to practice vocational nursing in the State of Texas on November 22, 1986.
5. Respondent's nursing employment history includes:

11/1986 - 6/1988	Licensed Vocational Nurse	Valley Baptist Medical Center Harlingen, Texas
7/1998 - 10/1991	Licensed Vocational Nurse	South Texas Hospital Harlingen, Texas

Respondent's nursing employment history continued:

11/1991 - 4/1996	Licensed Vocational Nurse	Brownsville Hemodialysis Center Brownsville, Texas
5/1996 - 12/1996	UNKNOWN	
1/1997 - 1/1997	Licensed Vocational Nurse	American Red Cross Harlingen, Texas
6/1997 - 9/1999	Licensed Vocational Nurse	TLC Adult Daycare Center Los Fresnos, Texas
10/1999 - 5/2000	UNKNOWN	
6/2000 - 6/2003	Licensed Vocational Nurse	Tru-Care/Harlingen Dialysis McAllen, Texas
6/2003 - 4/2004	Licensed Vocational Nurse	Dolly Vinsant Memorial Hospital San Benito, Texas
6/2004 - 2/2005	Licensed Vocational Nurse	Su Clinica Familiar Brownsville, Texas
5/2005 - 6/2005	Licensed Vocational Nurse	Harlingen Medical Center Harlingen, Texas
9/2005 - 4/2006	Licensed Vocational Nurse	Circle of Friends Adult Daycare Elsa, Texas
4/2006 - 10/2006	Licensed Vocational Nurse	Nurses That Care McAllen, Texas
7/2006 - 10/2006	Licensed Vocational Nurse	Sun Valley Adult Daycare Center Harlingen, Texas
12/2006 - 5/2012	Licensed Vocational Nurse	All About Kids Home Health Harlingen, Texas
6/2012 - Present	UNKNOWN	

6. At the time of the incident, Respondent was employed as a Licensed Vocational Nurse with All About Kids Home Health, Harlingen, Texas, and had been in this position for five (5) years and five (5) months.

7. On or about January 2012 through May 2, 2012, while employed with All About Kid's Home Health, Harlingen, Texas, as a Home Health Nurse, Respondent took Patient Medicaid Number 528414759 from his home and provided nursing care for him in her personal residence. Respondent's conduct violated the professional boundaries of the nurse/client relationship and was likely to injure the patient in that boundary violations can cause delayed distress for the patient and/or family which may not be recognized or felt by the patient until harmful consequences occur.
8. In response to the incident in Findings of Fact Number Seven (7), Respondent states that at times the parents would tell her to take the patient home after her shift was over because the parents were always busy with their other children's sport activities. Respondent states that there was no other external family that would care or volunteer to care for the child. Respondent states that she would stay extra hours to care for the child/children and not get paid. Respondent states that she was not knowledgeable in some of the laws and regulations of nursing and states that she was just trying to help this family.

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)(A),(1)(B),(1)(J)&(2)(A) and 22 TEX. ADMIN. CODE §217.12(1)(A), (1)(B)&(4).
4. The evidence received is sufficient cause pursuant to Section 301.452(b)(10)&(13), Texas Occupations Code, to take disciplinary action against Vocational Nurse License Number 115150, heretofore issued to CORINA GUTIERREZ ACOSTA, 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 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 a course in "Respecting Professional Boundaries," a 3.9 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. *Information regarding 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 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, 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 may be eligible for nurse licensure compact privileges, if any.

RESPONDENT'S CERTIFICATION

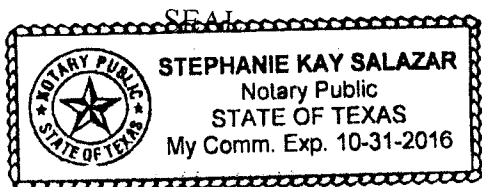
I understand that I have the right to legal counsel prior to signing this Agreed Order. I waive representation by counsel. I have reviewed this Order. I neither admit nor deny the violation(s) alleged herein. By my signature on this Order, I agree to the Findings of Fact, Conclusions of Law, Order, and 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 7th day of October, 2013.

Corina Gutierrez Acosta
CORINA GUTIERREZ ACOSTA, Respondent

Sworn to and subscribed before me this 7th day of October, 2013.

Stephanie Kay Salazar
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 7th day of October, 2013, by CORINA GUTIERREZ ACOSTA, Vocational Nurse License Number 115150, and said Order is final.

Effective this 9th day of October, 2013.



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