



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 760538 §
issued to AMBER LEE PEREZ § ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board considered the matter of AMBER LEE PEREZ, Registered Nurse License Number 760538, 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 April 29, 2013, 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 a Certificate in Practical Nursing from Vermont Technical College, Randolph, Vermont, in June 2003, and received an Associate Degree in Nursing from Greenfield Community College, Greenfield, Massachusetts, on June 4, 2006. Respondent was licensed to practice practical nursing in the State of Vermont on August 13, 2003; was licensed to practice professional nursing in the State of Vermont on July 22, 2006; and was licensed to practice professional nursing in the State of Texas on September 2, 2008.
5. Respondent's nursing employment history includes:

8/2003-6/2006	LPN	Grace Cottage Hospital Townshend, Vermont
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Respondent's nursing employment history continued:

5/2006- 9/2008	RN	Grace Cottage Hospital Townshend, Vermont
8/2007-9/2008	RN	Brattleboro Memorial Hospital Brattleboro, Vermont
10/2008-2/2010	RN	Medical Center of Arlington Arlington, Texas
2/2010-12/2011	RN	North Hills Hospital North Richland Hills, Texas
1/2012-Present	Unknown	

6. At the time of the initial incident, Respondent was employed as an RN with North Hills Hospital, North Richland Hills, Texas, and had been in this position for one (1) year and nine (9) months.
7. On or about November 30, 2011, through December 1, 2011, while employed as an RN in the Critical Care Unit at North Hills Hospital, North Richland Hills, Texas, Respondent failed to obtain blood pressure readings from Patient Number 000356800, as ordered. Respondent's conduct was likely to injure the patient from potentially adverse complications of undetected and untreated fluctuations in blood pressure, including possible demise.
8. On or about November 30, 2011, through December 1, 2011, while employed as an RN in the Critical Care Unit at North Hills Hospital, North Richland Hills, Texas, Respondent falsely documented the blood pressure readings of Patient Number 000356800 in the patient's medical record. Additionally, Respondent provided false information to the oncoming nurse by saying that the patient's blood pressure had been stable during the shift until 0600 hours. Respondent's conduct resulted in an inaccurate medical record and was likely to injure the patient in that subsequent care givers would not have accurate and complete information on which to base their care decisions.
9. On or about December 1, 2011, while employed as an RN in the Critical Care Unit at North Hills Hospital, North Richland Hills, Texas, Respondent failed to notify the physician that Patient Number 000356800 had become dizzy when he was moved from the bed to the chair and that his blood pressure was 74/50 prior to administering a 250 milliliter fluid bolus to the patient, without a physician's order. Respondent's conduct exceeded her authorized scope of practice and was likely to injure the patient in that administering a fluid bolus intravenously without a physician's order could result in fluid overload, causing cardiac and respiratory complications.

10. In response to the incidents in Findings of Fact Numbers Seven (7) through Nine (9), Respondent states that the patient was automatically being monitored for respirations and heart rate through the night, but the blood pressure cuff was left off for comfort since vital signs were only ordered every four hours. Respondent states that she visually assessed the patient every hour through the night, though she did not obtain blood pressure readings for two instances that she documented in the computer. Respondent states that after being confronted by the oncoming nurse regarding vital sign discrepancies, she admitted to not performing the blood pressure checks, then tagged the vital signs in the computer as incorrect. Respondent states that it always was her intention to inform the physician, as soon as the patient was stable and safe. The dizzy spell occurred shortly after 0600. When Respondent observed that the patient's blood pressure was low, the patient was assisted to a nearby chair for his safety and comfort and medicated for his nausea. When Respondent left the patient's room, it was her intention to call the physician, but the day nurse had arrived and wanted report. Respondent states that after giving report to the oncoming nurse, she notified the physician of the low blood pressure reading and the fluid bolus given.
11. On or about March 24, 2012, Respondent successfully completed a Board approved course in Nursing Documentation, which would have been a requirement of this Order.
12. On or about March 30, 2012, Respondent successfully completed a Board approved course in Texas Nursing Jurisprudence and Ethics, which would have been a requirement of this Order.
13. On or about May 24, 2013, Respondent successfully completed a Board approved course in Sharpening Critical Thinking Skills, which would have been a requirement of this Order.

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)(D),(1)(M)&(3)(A) and 217.12(1)(A),(1)(B),(1)(C),(4)&(6)(A).
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 760538, heretofore issued to AMBER LEE PEREZ, 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 WARNING WITH STIPULATIONS AND 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 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 medication administration. 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. The didactic portion of this course shall be a minimum of six (6) hours in length. The course shall contain a minimum twenty-four (24) hour

clinical component which is to be provided by the same Registered Nurse who provides the didactic portion of this course. The clinical component SHALL focus on tasks of medication administration only. In order for the course to be approved, the course's content shall include: a review of proper administration procedures for all standard routes; computation of drug dosages; the five (5) rights of medication administration; factors influencing the choice of route; and possible adverse effects resulting from improper administration. 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>

(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 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, 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 ONE (1) YEAR OF EMPLOYMENT. THE LENGTH OF THE STIPULATION 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) OR A VOCATIONAL NURSE (LVN) LICENSE, AS APPROPRIATE, WILL NOT APPLY TO THIS STIPULATION PERIOD:

(3) 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.

(4) 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.

(5) 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.

(6) 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 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 RESPONDENT'S license(s) to practice nursing in the State of Texas and RESPONDENT may be eligible for nurse licensure compact privileges, if any.

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RESPONDENT'S CERTIFICATION

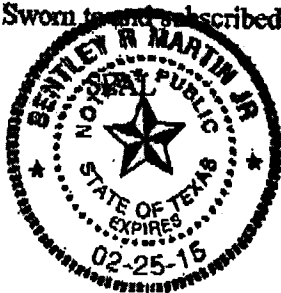
I understand that I have the right to legal counsel prior to signing this Agreed Order.

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

Signed this 9th day of October, 2013.

Amber Lee Perez RN
AMBER LEE PEREZ, RESPONDENT

Sworn to and subscribed before me this 9th day of October, 2013.



Bentley R. Martin Jr.
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 1st day of October, 2013

WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Agreed Order that was signed on the 9th day of October, 2013, by AMBER LEE PEREZ, Registered Nurse License Number 760538, and said Order is final.

Effective this 12th day of November, 2013.



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