



Executive Director of the Board

BEFORE THE TEXAS BOARD OF NURSING

\*\*\*\*\*

In the Matter of \$  
Registered Nurse License Number 255956 \$  
issued to KIMBERLIE RAE SALINAS \$

## ORDER OF THE BOARD

On this day, the Texas Board of Nursing, hereinafter referred to as the Board, accepted the voluntary surrender of Registered Nurse License Number 255956,, issued to KIMBERLIE RAE SALINAS, hereinafter referred to as Respondent. This action was taken in accordance with Section 301.453(c), Texas Occupations Code.

Respondent waived informal proceedings, notice and hearing.

The Board makes the following Findings of Fact and Conclusions of Law.

## FINDINGS OF FACT

1. Respondent's license to practice professional nursing in the State of Texas is in delinquent status.
2. Respondent waived informal proceedings, notice and hearing.
3. Respondent received a Baccalaureate Degree in Nursing from the University of Texas at Houston, Houston, Texas, on June 1, 1981. Respondent was licensed to practice professional nursing in the State of Texas on September 8, 1981.
4. Respondent's nursing employment history includes:

1981 - 1983	Staff RN	Hermann Hospital Houston, Texas
1983-1988	Senior RN/Charge Intensive Care	Brackenridge Hospital Austin, Texas

Respondent's nursing employment history continued:

1985 - 1986	Pediatric Supervisor (Part-time)	Anderson-Parker Home Health Austin, Texas
1988 - 1990	Staff RN Cardiovascular	Brackenridge Hospital Austin, Texas
1990 - 1993	Charge Nurse Radiology	Seton Medical Center Austin, Texas
1993-1995	Charge Nurse Hemodialysis	Austin Diagnostic Clinic Austin, Texas
11/1996 - 10/2000	Director Hyperbaric	Total Wound Treatment Center, Inc. San Antonio, Texas
11/2000 - 10/2001	Director (traveling)	Total Wound Treatment Center, Inc. San Antonio, Texas
11/2001 - 1/2002	Unknown	
2/2002 - 10/2010	Staff Nurse ICU	University Medical Center Brackenridge Austin, Texas
2010 - Present	Unknown	

5. First Amended Formal Charges were filed on May 3, 2013.
6. First Amended Formal Charges were mailed to Respondent on May 3, 2013.
7. On November 12, 2013, the Board received a notarized statement from Respondent voluntarily surrendering the right to practice nursing in Texas. A copy of Respondent's notarized statement, dated November 12, 2013, is attached and incorporated herein by reference as part 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)(D). and 22 TEX. ADMIN. CODE §217.12(4),(6)(G),(8),(10)(C),(10)(E)&(11)(B).
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 255956, heretofore issued to KIMBERLIE RAE SALINAS, including revocation of Respondent's license(s) to practice nursing in the State of Texas.
5. Under Section 301.453(c), Texas Occupations Code, the Board has the authority to accept the voluntary surrender of a license.
6. Under Section 301.453(d), Texas Occupations Code, the Board may impose conditions for reinstatement of licensure.
7. Any subsequent reinstatement of this license will be controlled by Section 301.453(d), Texas Occupations Code, and 22 TAC §§213.26-.29, and any amendments thereof in effect at the time of the reinstatement.

#### ORDER

NOW, THEREFORE, IT IS ORDERED that the voluntary surrender of Registered Nurse License Number 255956, heretofore issued to KIMBERLIE RAE SALINAS, to practice nursing in the State of Texas, is accepted by the Executive Director on behalf of the Texas Board of Nursing. In connection with this acceptance, the Board imposes the following conditions:

1. RESPONDENT SHALL NOT practice professional nursing, use the title of registered nurse or the abbreviation "RN" or wear any insignia identifying herself as a registered nurse or use any designation which, directly or indirectly, would lead any person to believe that RESPONDENT is a registered nurse during the period in which the license is surrendered.
2. RESPONDENT SHALL NOT petition for reinstatement of licensure until: one (1) year has elapsed from the date of this Order.
3. Upon petitioning for reinstatement, RESPONDENT SHALL satisfy all then existing requirements for relicensure.

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.

Effective this day 12th of November, 2013.

TEXAS BOARD OF NURSING



By: \_\_\_\_\_

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

Kimberlie Rae Salinas  
3411 Sweetgum Trace  
Cedar Park, Texas 78613  
Texas Registered Nurse License 255956  
Voluntary Surrender Statement

November 12, 2013

Dear Texas Board of Nursing:

I no longer desire to be licensed as a registered nurse. Accordingly, I voluntarily surrender my license/licenses to practice in Texas. I consent to the entry of an Order which outlines requirements for reinstatement of my license. I understand that I will be required to comply with the Board's Rules and Regulations in effect at the time I submit any petition for reinstatement.

Signature Kimberlie R. Salinas

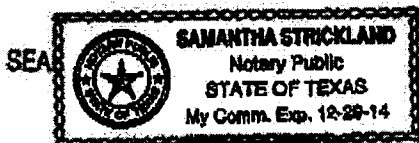
Date 11.12.13

Texas Nursing License Number/s 255956

The State of Texas

Before me, the undersigned authority, on this date personally appeared KIMBERLIE RAE SALINAS, who being duly sworn by me, stated that she executed the above for the purpose therein contained and that she understood same.

Sworn to before me the 12 day of November, 2013.



[Signature]  
Notary Public In and for the State of Texas

Approved as to form:

[Signature]

Elizabeth L. Higginbotham, RN, JD  
Attorney for Respondent

Signed this 12<sup>th</sup> day of November, 2013.

In the Matter of  
Permanent Registered Nurse  
License Number 255956  
Issued to KIMBERLIE RAE SALINAS,  
Respondent

§ BEFORE THE TEXAS  
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§  
§ BOARD OF NURSING

### FIRST AMENDED FORMAL CHARGES

This is a disciplinary proceeding under Section 301.452(b), Texas Occupations Code. Respondent, KIMBERLIE RAE SALINAS, is a Registered Nurse holding License Number 255956 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 September 19, 2010 and September 22, 2010, while employed as a Registered Nurse with University Medical Center Brackenridge, Austin, Texas, Respondent withdrew Dilaudid, from the Medication Dispensing System for Patients, but failed to document, or accurately document the administration of the medication in the patients' Medication Administration Records and/or nurse's notes, as follows:

Date	Patient	Physician's Order	Narc Log	MAR	Notes	Waste
9/22/10	3229718	Dilaudid 0.5mg IVP q2h PRN	1mg Dilaudid @ 0243	None	None	.5mg @ 0825
9/19/10	3230161	Dilaudid 0.2mg IV q1h PRN pain	1mg Dilaudid @ 2144  *S.B. pulled Dilaudid @ 2125	None by Respondent  *S.B. administered 0.2mg @ 2130	None by Respondent  *S.B. documented giving 0.2mg @ 2130	None  *0.8 wasted by S.B.

Respondent's conduct was likely to injure the patients in that subsequent care givers would rely on her documentation to further medicate the patients which could result in an overdose.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(10) &(13), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.11(1)(A)&(D), and 217.12(4)&(11)(B).

## CHARGE II.

On or about September 19, 2010 and September 22, 2010, while employed as a Registered Nurse with University Medical Center Brackenridge, Austin, Texas, Respondent withdrew Dilaudid from the Medication Dispensing System for Patients, but failed to follow the facility's policy and procedure for the wastage of any of the unused portions of the medication, as follows:

Date	Patient	Order	Narc Log	MAR	Notes	Waste
9/22/10	3229718	Dilaudid 0.5mg IVP q2h PRN	1mg Dilaudid @ 0243	None	None	.5mg @ 0825
9/19/10	3230161	Dilaudid 0.2mg IV q1h PRN pain	1mg Dilaudid @ 2144  *S.B. also pulled Dilaudid @ 2125	None by Respondent  <del>*S.B. administered</del> 0.2mg @ 2130	None by Respondent  <del>*S.B. documented</del> giving 0.2mg @ 2130	None  <del>*0.8 wasted</del> by S.B.

Respondent's conduct was likely to deceive the hospital pharmacy and placed them in violation of Chapter 481 of the Texas Health and Safety Code (Controlled Substances Act).

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(10)&(13), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.11(1)(A) and 217.12(4),(10)(C)&(11)(B).

## CHARGE III.

On or about September 19, 2010 and September 22, 2010, while employed as a Registered Nurse with University Medical Center Brackenridge, Austin, Texas, Respondent misappropriated Dilaudid from the facility and patients thereof, or failed to take the precautions to prevent such misappropriation. Respondent's conduct was likely to defraud the facility and patients of the cost of medications, and is a violation of Chapter 481 of the Texas Health and Safety Code (Controlled Substances Act).

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(4),(6)(G),(8),(10)(E)&(11)(B).

## CHARGE IV.

On or about December 12, 2012, while employed as a Registered Nurse with St. David's Round Rock Medical Center, Round Rock, Texas, Respondent misappropriated Morphine from Patient D000062986, or failed to take the precautions to prevent such misappropriation. Respondent's conduct was likely to defraud the facility and patients of the cost of medications, and is a violation of Chapter 481 of the Texas Health and Safety Code (Controlled Substances Act).

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(4),(6)(G),(8),(10)(E)&(11)(B).

NOTICE IS GIVEN that staff will present evidence in support of the recommended disposition of up to, and including, revocation of Respondent's license/s to practice nursing in the State of Texas pursuant to the Nursing Practice Act, Chapter 301, Texas Occupations Code and 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 Section 301.461, Texas Occupations Code. 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).

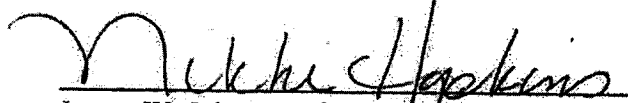
NOTICE IS GIVEN that all statutes and rules cited in these Charges are incorporated as part of this pleading and can be found at the Board's website, [www.bon.texas.gov](http://www.bon.texas.gov).

~~NOTICE IS GIVEN that to the extent applicable, based on the Formal Charges, the Board will rely on~~ Adopted Disciplinary Sanction Policies for Nurses for Lying and Falsification, for Fraud, Theft and Deception, which can be found at the Board's website, [www.bon.texas.gov](http://www.bon.texas.gov).

NOTICE IS GIVEN that, based on the Formal Charges, the Board will rely on the Disciplinary Matrix, which can be found at [www.bon.texas.gov/disciplinaryaction/discp-matrix.html](http://www.bon.texas.gov/disciplinaryaction/discp-matrix.html).

Filed this 3<sup>rd</sup> day of May, 2013.

TEXAS BOARD OF NURSING



James W. Johnston, General Counsel

Board Certified - Administrative Law

Texas Board of Legal Specialization

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TEXAS BOARD OF NURSING

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