



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

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In the Matter of § AGREED  
Registered Nurse License Number 783560 §  
issued to PURISIMA GUCE § ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of PURISIMA GUCE, Registered Nurse License Number 783560, 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 March 17, 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 Diploma in Nursing from Aguinaldo College, Philippines on May 1, 1979. Respondent was licensed to practice professional nursing in the State of Texas on April 13, 2010.
5. Respondent's nursing employment history includes:  
5/1979 - 5/1988                      Unknown

Respondent's nursing employment history continued:

6/1988 - 1997	Staff Nurse	Good Samaritan Hospital Los Angeles, CA
6/1997 - 3/1998	Staff Nurse	University of California Medical Center Sacramento, CA
4/1998 - 7/2006	Unknown	
8/2006 - 10/2009	Staff Nurse	Kaiser Permanente Hospital Sacramento and San Diego, CA
11/2009 - 12/2008	Not employed in Nursing	
1/2010 - 3/2011	Staff Nurse	Memorial Hermann Northeast Hospital Kingswood, Texas
12/2010 - Present	Staff Nurse	SEV Staffing Baytown, Texas

6. At the time of the initial incident, Respondent was employed as a staff nurse with Memorial Hermann Northeast, Humble, Texas, and had been in this position for one (1) year and two (2) months.
7. On or about April 15, 2011, while employed as a staff nurse with Memorial Hermann Northeast, Humble, Texas, Respondent failed to transcribe a physician's verbal order for an in-and-out urinary catheterization for Patient Act# 0396245817501, who was postoperative total laproscopic hysterectomy and Cystourethroscopy. The physician had instructed the Respondent to catheterize the patient following the patient's complaints of an inability to void. Respondent's conduct deprived subsequently caregivers of essential information on which to base their ongoing medical care.
8. On or about April 15, 2011, while employed as a staff nurse with Memorial Hermann Northeast, Humble, Texas, Respondent failed to follow physician's orders to perform an in-and-out urinary catheterization for Patient Act# 0396245817501, who was postoperative laproscopic hysterectomy and Cystourethroscopy. Subsequently, after being discharged, Patient Act # 0396245817501 returned to Emergency Room with complaints of an inability to void where a foley catheter was placed and 1800 cc's of urine was collected. Respondent's failure to assess the patient resulted in the patient's readmission to the hospital and subsequent treatment for urinary retention.
9. On or about April 15, 2011, while employed as a staff nurse with Memorial Hermann Northeast, Humble, Texas, Respondent failed to completely document the urinary output for Patient Act# 0396245817501. Additionally, Respondent falsely documented that said patient had been voiding without difficulty, when the patient had voiced complaints of an inability to void. Respondent's conduct created an incomplete and inaccurate medical record on which subsequent caregivers would rely on to provide ongoing medical care.

10. In response to Findings of Fact Numbers Seven (7) through Nine (9), Respondent states that she had received report from the night shift RN that the patient's Foley catheter was discontinued around 6AM following the printed physician's order and to discharge the patient according to the printed order signed by the physician. Respondent explains that she informed the patient that she could go home if she was able to urinate without difficulty. Respondent's adds that the patient's husband stated that they needed to go home early because they had a personal appointment that day. Respondent states the patient started urinating a small amount which increased until the last voided amount was 100 ml and 150 ml collectively. Additionally, Respondent palpated the patient's bladder and noted that there was no distention and the patient informed her she could void without difficulty. According to Respondent, the Charge nurse told her to discharge the patient and have the patient go the Emergency room if she could not urinate because the patient's room was already assigned to a new patient, who would be coming soon from PACU. Respondent states that around 11:00 AM, she read the discharge instructions to the patient and her husband and they both verbalized understanding. Respondent adds that she reiterated verbally to the patient and her husband to go to the ER if she was unable to urinate. Respondent claims that she does not recall a verbal order from the physician. Respondent concludes that she felt she was coerced to discharge the patient per patient and the patient's husband and for hospital convenience because the patient's room was already assigned to another patient, even before the patient was discharged.

#### 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)(C),(1)(D), (1)(P)&(3)(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 Registered Nurse License Number 783560, heretofore issued to PURISIMA GUCE, 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 WARNING 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 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>.

(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, 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(S) 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:**

(4) 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.

(5) 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.

(6) 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.

(7) 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(s) 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.

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 18<sup>th</sup> day of February, 2014.

[Signature]  
PURISIMA GUCE, RESPONDENT

Sworn to and subscribed before me this 18<sup>th</sup> day of February, 2014.

SEAL

[Signature]

Notary Public in and for the State of Texas



Approved as to form and substance.

[Signature]  
WAYNE E. REVACK, Attorney for Respondent

Signed this 18<sup>th</sup> day of February, 2014.

[Handwritten initials]



WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Agreed Order that was signed on the 18<sup>th</sup> day of February, 2014, by PURISIMA GUCE, Registered Nurse License Number 783560, and said Order is final.

Effective this 18<sup>th</sup> day of March, 2014.

A handwritten signature in black ink, appearing to read "Katherine A. Thomas".

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