



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
Vocational Nurse License Number 154867 §
issued to ENRIQUE PLACIDO FLORES § ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board considered the matter of ENRIQUE PLACIDO FLORES, Vocational Nurse License Number 154867, 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)(1),(9)&(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 , 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 vocational nursing in the State of Texas.
4. Respondent received a Certificate in Vocational Nursing from the Baptist Memorial Hospital System, San Antonio, Texas, on August 18, 1995. Respondent was licensed to practice vocational nursing in the State of Texas on October 10, 1995.

5. Respondent's nursing employment history includes:

11/95 - 07/04	LVN	Southwest Texas Methodist Hospital San Antonio, Texas
05/05 - 11/09	LVN	Spectrum Healthcare Resources San Antonio, Texas

Respondent's nursing employment history continued:

09/04 - 01/10	LVN	Healthsouth RIOSA San Antonio, Texas
03/10 - 01/12	LVN	Air Force Village II San Antonio, Texas
09/12 - 11/12	LVN	Regent Care Center San Marcos, Texas
12/12 - Present	Unknown	

6. On February 16, 2012, Respondent was issued an Agreed Order by the Texas Board of Nursing which required him to participate and successfully complete the Texas Peer Assistance Program for Nurses (TPAPN). A copy of the Findings of Fact, Conclusions of Law and Agreed Order dated February 16, 2012, is attached and incorporated by reference as part of this Order.
7. At the time of the incidents, Respondent was employed as a LVN with Regent Care Center, San Marcos, Texas, and has been in this position for two (2) months.
8. On or about October 1, 2012, while employed with Regent Care Center, San Marcos, Texas, Respondent while participating in the Texas Peer Assistance Program for Nurses (TPAPN), admitted to drinking wine at his son's birthday party over the weekend. The use of Alcohol by a Vocational Nurse, while subject to a TPAPN participation agreement requiring abstention from consumption of alcohol, could impair the nurse's ability to safely exercise licensure privileges, thereby placing the patient in potential danger.
9. On or about October 1, 2012, while employed with Regent Care Center, San Marcos, Texas, Respondent failed to comply with the Agreed Order issued to him by the Texas Board of Nursing on February 16, 2012. Respondent failed to comply with all the requirements of the TPAPN participation agreement, as required by Stipulation Number Three (3) of the Agreed Order dated February 16, 2012, which reads as follows:

(3) RESPONDENT SHALL, comply with all the requirements of the TPAPN participation agreement during its term and SHALL keep his license(s) to practice nursing in the State of Texas current.

On October 15, 2012, Respondent was dismissed from TPAPN and referred to the Board.

10. The Board finds that there exists serious risks to public health and safety as a result of impaired nursing care due to intemperate use of controlled substances or chemical dependency.

11. Charges were filed on January 2, 2013.
12. Charges were mailed to Respondent on January 2, 2013.

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 (9) &(11)(B).
4. The evidence received is sufficient cause pursuant to Section 301.452(b)(1)&(10), Texas Occupations Code, to take disciplinary action against Vocational Nurse License Number 154867, heretofore issued to ENRIQUE PLACIDO FLORES, 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 Vocational Nurse License Number 154867, previously issued to ENRIQUE PLACIDO FLORES, to practice nursing in Texas is/are hereby SUSPENDED and said suspension is ENFORCED until Respondent completes a treatment program approved by the Board, provides documentation of successful completion, and has obtained twelve (12) consecutive months of sobriety. Any relapse prior to the completion of the twelve (12) consecutive months of sobriety will result in an extension of the enforced suspension until such twelve (12) consecutive months of sobriety and additional treatment have been attained.

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 the 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, upon verification of successful completion of the approved treatment and twelve (12) consecutive months of sobriety as set out in this Order, the Suspension will be STAYED, and RESPONDENT will be placed on PROBATION for three (3) years with the following agreed terms of probation:

(1) 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.

(2) RESPONDENT SHALL pay all re-registration fees, if applicable, and RESPONDENT'S licensure status in the State of Texas will be updated to reflect the applicable conditions outlined herein.

(3) RESPONDENT SHALL, within one (1) year of the suspension being stayed, 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>.*

(4) 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>.*

(5) RESPONDENT SHALL pay a monitoring fee in the amount of three hundred fifty dollars (\$350.00). RESPONDENT SHALL pay this fine within forty-five (45) days of the suspension being stayed. 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 PROBATION CONDITIONS FOR THREE (3) YEARS OF EMPLOYMENT. THE LENGTH OF THE PROBATIONARY PERIOD WILL BE EXTENDED UNTIL SUCH THIRTY-SIX (36) 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:

(6) RESPONDENT SHALL notify all future employers in nursing of this Order of the Board and the probation conditions 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.

(7) 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.

(8) For the first year of employment as a nurse under this Order, RESPONDENT

SHALL be directly 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. Direct supervision requires another nurse to be working on the same unit as RESPONDENT and immediately available to provide assistance and intervention. RESPONDENT SHALL work only on regularly assigned, identified and predetermined unit(s). The 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.

(9) For the remainder of the probation period, 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.

(10) RESPONDENT SHALL NOT practice as a nurse on the night shift, rotate shifts, work overtime, accept on-call assignments, or be used for coverage on any unit other than the identified, predetermined unit(s) to which Respondent is regularly assigned for one (1) year of

employment as a nurse.

(11) RESPONDENT SHALL NOT practice as a nurse in any critical care area for one (1) year of employment as a nurse. Critical care areas include, but are not limited to, intensive care units, emergency rooms, operating rooms, telemetry units, recovery rooms, and labor and delivery units.

(12) RESPONDENT SHALL NOT administer or have any contact with controlled substances, Nubain, Stadol, Dalgan, Ultram, or other synthetic opiates for one (1) year of employment as a nurse.

(13) 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) months for three (3) years of employment as a nurse.

(14) RESPONDENT SHALL abstain from the consumption of alcohol, Nubain, Stadol, Dalgan, Ultram, or other synthetic opiates, and/or the use of controlled substances, except as prescribed by a licensed practitioner for a legitimate purpose. If prescribed, RESPONDENT SHALL CAUSE the licensed practitioner to submit a written report identifying the medication, dosage and the date the medication was prescribed. The report shall be submitted directly to the office of the Board by the prescribing practitioner, within ten (10) days of the date of the prescription. **In the event that prescriptions for controlled substances are required for periods of two (2) weeks or longer, the Board may require and RESPONDENT SHALL submit to an evaluation by a Board approved physician specializing in Pain Management or Psychiatry.**

The performing evaluator will submit a written report to the Board's office, including results of the evaluation, clinical indications for the prescriptions, and recommendations for on-going treatment within thirty (30) days from the Board's request.

(15) RESPONDENT SHALL submit to random periodic screens for controlled substances, tramadol hydrochloride (Ultram), and alcohol. For the first three (3) month period, random screens shall be performed at least once per week. For the next three (3) month period, random screens shall be performed at least twice per month. For the next six (6) month period, random screens shall be performed at least once per month. For the remainder of the probation period, random screens shall be performed at least once every three (3) months. All random screens SHALL BE conducted through urinalysis. Screens obtained through urinalysis are the sole method accepted by the Board.

Specimens shall be screened for at least the following substances:

Amphetamines	Meperidine
Barbiturates	Methadone
Benzodiazepines	Methaqualone
Cannabinoids	Opiates
Cocaine	Phencyclidine
Ethanol	Propoxyphene
tramadol hydrochloride (Ultram)	

A Board representative may appear at the RESPONDENT'S place of employment at any time during the probation period and require RESPONDENT to produce a specimen for screening.

All screens shall be properly monitored and produced in accordance with the Board's policy on Random Drug Testing. A complete chain of custody shall be maintained for each specimen obtained and analyzed. RESPONDENT SHALL be responsible for the costs of all random drug screening during the probation period.

Any positive result for which the nurse does not have a valid prescription or refusal to submit to a drug or alcohol screen may subject the nurse to further disciplinary action, including EMERGENCY SUSPENSION pursuant to Section 301.4551, Texas Occupations Code, or REVOCATION of Respondent's license(s) and nurse licensure compact privileges, if any, to practice nursing in the State of Texas. Further, failure to report for a drug screen, excessive dilute specimens, or failure to call in for a drug screen may be considered the same as a positive result or refusal to submit to a drug or alcohol screen.

(16) RESPONDENT SHALL participate in therapy with a "professional counselor" possessing credentials approved by the Board. RESPONDENT SHALL CAUSE the therapist to submit written reports, on forms provided by the Board, as to the RESPONDENT'S progress in therapy, rehabilitation and capability to safely practice professional nursing. The report must indicate whether or not the RESPONDENT'S stability is sufficient to provide direct patient care safely. Such reports are to be furnished each and every month for three (3) months. If therapy is recommended for beyond three (3) months, the reports shall then be required at the end of each three (3) month period for the duration of the probation period, or until RESPONDENT is dismissed from therapy.

(17) RESPONDENT SHALL attend at least two (2) support group meetings each week, one of which must be for substance abuse and provided by Alcoholics Anonymous, Narcotics Anonymous, or another comparable recovery program that has been pre-approved by the Board. RESPONDENT SHALL provide acceptable evidence of attendance. Acceptable evidence shall consist of a written record of at least: the date of each meeting; the name of each group attended; and the signature and printed name of the chairperson of each group attended by RESPONDENT.

RESPONDENT SHALL submit the required evidence on the forms provided by the Board at the end of every three (3) months. No duplications, copies, third party signatures, or any other substitutions will be accepted as evidence.

IT IS FURTHER AGREED and ORDERED that if during the period of probation, an additional allegation, accusation, or petition is reported or filed against the Respondent's license, the probationary period shall not expire and shall automatically be extended until the allegation, accusation, or petition has been acted upon by the Board.

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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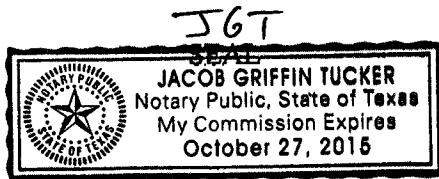
RESPONDENT'S CERTIFICATION

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 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 11 day of FEB, 2013.

Enrique Placido Flores
ENRIQUE PLACIDO FLORES, Respondent

Sworn to and subscribed before me this 11 day of February, 2013.



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

Approved as to form and substance.

[Signature]
Phong P. Phan, Attorney for Respondent

Signed this 13TH day of February, 2013.

WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Agreed Order that was signed on the 11th day of February, 2013, by ENRIQUE PLACIDO FLORES, Vocational Nurse License Number 154867, and said Order is final.

Effective this 19th day of March, 2013.



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



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 § AGREED
License Number 154867, issued §
ENRIQUE PLACIDO FLORES § ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of ENRIQUE PLACIDO FLORES, Vocational Nurse License Number 154867, hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may have violated Section 301.452(b)(10)&(13), Texas Occupations Code. Respondent waived informal proceedings, notice and hearing, and agreed to the entry of this Order offered on January 13, 2012, by Katherine A. Thomas, MN, RN, FAAN, Executive Director.

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 vocational nursing in the State of Texas.
4. Respondent received a Certificate in Vocational Nursing from the Baptist Memorial Hospital System, San Antonio, Texas, on August 18, 1995. Respondent was licensed to practice vocational nursing in the State of Texas on October 10, 1995.
5. Respondent's complete nursing employment history is unknown.

6. During December 15, 2009 through December 25, 2009, while employed with Healthsouth RIOSA, San Antonio, Texas, Respondent withdrew thirty-seven (37) Hydrocodone and four (4) Propoxyphene from the Pyxis Medication Dispensing System for patients, but failed to document the administration of the medication in the patients' Medication Administration Record and Pain Assessment Sheets. Respondent's conduct resulted in an incomplete/inaccurate medical record which was likely to deceive subsequent care givers who relied on the information while providing care to the patients and could have resulted in over medication.

7. During December 15, 2009 through December 25, 2009, while employed with Healthsouth RIOSA, San Antonio, Texas, Respondent misappropriated thirty-seven (37) Hydrocodone and four (4) Propoxyphene belonging to the facility and/or patients, or failed to take precautions to prevent the misappropriation of the medications. Respondent's conduct was likely to defraud the facility and patients of the cost of the medications.

8. During August 7, 2009 through November 10, 2009, while employed with Wilford Hall Medical Center, Lackland AFB, Texas, Respondent withdrew Vicodin, Dilaudid and Percocet from the Pyxis Medication Dispensing System for patients but failed to document the administration of the medication in the patients' Medication Administration Record (MAR), as follows:

Date/Time	Patient	Physician's Order	Pyxis Record	MAR	Wastage
8/7/09 @ 1106	SB	Vicodin 1-2 tabs PO Q 4 hrs PRN pain	2 Vicodin tabs	No	None
8/7/09 @ 1452	SB	Vicodin 1-2 tabs PO Q 4 hrs PRN pain	2 Vicodin tabs	No	None
8/7/09 @ 1834	SB	Vicodin 1-2 tabs PO Q 4 hrs PRN pain	2 Vicodin tabs	No	None
8/7/09 @ 0654	SB	Vicodin 1-2 tabs PO Q 4 hrs PRN pain	2 Vicodin tabs	No	None
8/9/09 @ 0826	SB	Vicodin 1-2 tabs PO Q 4 hrs PRN pain	2 Vicodin tabs	No	None
8/13/09 @ 1503	RD	Percocet 1 tab PO Q 4-6 hrs PRN pain	1 Percocet tab	No	None
8/13/09 @ 1121	RD	Percocet 1 tab PO Q 4-6 hrs PRN pain	1 Percocet tab	No	None
8/13/09 @ 0743	RD	Percocet 1 tab PO Q 4-6 hrs PRN pain	1 Percocet tab	No	None
8/14/09 @ 0829	CM	Percocet 1-2 tabs PO Q 4 hrs PRN pain	1 Percocet tab	No	None
8/22/09 @0637	RL	Dilaudid 2mg PO Q 2 hrs PRN BTP	Dilaudid 2mg	No	None
10/6/09 @ 0551	BL	Percocet 1-2 tabs PO Q 6 hrs PRN pain	2 Percocet tabs	No	None
10/6/09 @ 1825	BL	Percocet 1-2 tabs PO Q 6 hrs PRN pain	2 Percocet tabs	No	None
10/6/09 @ 1416	BL	Percocet 1-2 tabs PO Q 6 hrs PRN pain	2 Percocet tabs	No	None
10/6/09 @ 1024	BL	Percocet 1-2 tabs PO Q 6 hrs PRN pain	2 Percocet tabs	No	None
10/7/09 @ 1325	BL	Percocet 1-2 tabs PO Q 4 hrs PRN pain	2 Percocet tabs	No	None

10/7/09 @ 1224	BL	Percocet 1-2 tabs PO Q 4 hrs PRN pain	2 Percocet tabs	No	None
10/7/09 @ 0852	BL	Percocet 1-2 tabs PO Q 4 hrs PRN pain	2 Percocet tabs	No	None
10/7/09 @ 0912	BL	Percocet 1-2 tabs PO Q 4 hrs PRN pain	2 Percocet tabs	No	None
10/7/09 @ 1536	BL	Percocet 1-2 tabs PO Q 4 hrs PRN pain	2 Percocet tabs	No	None
10/17/09 @1205	RS	Percocet 1 tab PO Q 4 hrs PRN pain	2 Percocet tabs	No	None
10/17/09 @0631	RS	Percocet 1 tab PO Q 4 hrs PRN pain	2 Percocet tabs	No	None
10/21/09 @0904	MB	Percocet 1-2 tabs PO Q 4 hrs PRN pain	2 Percocet tabs	No	None
10/21/09 @0504	HJ	Percocet 1-2 tabs PO Q 4 hrs PRN pain	2 Percocet tabs	No	None
10/21/09 @1053	HJ	Percocet 1-2 tabs PO Q 4 hrs PRN pain	2 Percocet tabs	No	None
10/21/09 @1736	MB	Percocet 1-2 tabs PO Q 4 hrs PRN pain	2 Percocet tabs	No	None
10/21/09 @1359	MB	Percocet 1-2 tabs PO Q 4 hrs PRN pain	2 Percocet tabs	No	None
10/22/09 @1124	MB	Percocet 1-2 tabs PO Q 4 hrs PRN pain	2 Percocet tabs	No	None
10/22/09 @0725	MB	Percocet 1-2 tabs PO Q 4 hrs PRN pain	2 Percocet tabs	No	None
10/22/09 @1533	MB	Percocet 1-2 tabs PO Q 4 hrs PRN pain	2 Percocet tabs	No	None
10/26/09 @1719	RR	Percocet 1-2 tabs PO Q 4 hrs PRN pain	2 Percocet tabs	No	None
10/26/09 @0858	MT	Percocet 1-2 tabs PO Q 6 hrs PRN pain	2 Percocet tabs	No	None
11/1/09 @ 1502	MB	Percocet 1-2 tabs PO Q 4 hrs PRN pain	2 Percocet tabs	No	None
11/1/09 @ 1059	MB	Percocet 1-2 tabs PO Q 4 hrs PRN pain	2 Percocet tabs	No	None
11/1/09 @ 0653	MB	Percocet 1-2 tabs PO Q 4 hrs PRN pain	2 Percocet tabs	No	None
11/1/09 @ 1901	MB	Percocet 1-2 tabs PO Q 4 hrs PRN pain	2 Percocet tabs	No	None
11/4/09 @ 1550	MB	Percocet 1-2 tabs PO Q 4 hrs PRN pain	2 Percocet tabs	No	None
11/9/09 @ 1355	PHP	Percocet 1-2 tabs PO Q 6 hrs PRN pain	2 Percocet tabs	No	None
11/9/09 @ 1218	MDL	Percocet 1-2 tabs PO Q 4 hrs PRN pain	2 Percocet tabs	No	None
11/9/09 @ 1700	MB	Percocet 1-2 tabs PO Q 4 hrs PRN pain	2 Percocet tabs	No	None
11/10/09 @1453	BJD	Percocet 1-2 tabs PO Q 4-6 hrs PRN pain	2 Percocet tabs	No	None
11/10/09 @1508	BJD	Percocet 1-2 tabs PO Q 4-6 hrs PRN pain	2 Percocet tabs	No	None

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

9. During August 7, 2009 through November 10, 2009, while employed with Wilford Hall Medical Center, Lackland AFB, Texas, Respondent withdrew Vicodin, Dilaudid and Percocet from the Pyxis Medication Dispensing System for patients but failed to follow the policy and procedure for the wastage. 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).
10. On or about October 17, 2009, while employed with Wilford Hall Medical Center, Lackland AFB, Texas, Respondent withdrew Percocet two (2) tabs at 0630 and 1205 for Patient SR, from the Pyxis Medication Dispensing System. Patient SR had been dismissed from the facility on October 7, 2009. Respondent's conduct was likely to defraud the facility and patient of the cost of the medication.
11. During August 7, 2009 through November 10, 2009, while employed with Wilford Hall Medical Center, Lackland AFB, Texas, Respondent misappropriated Vicodin, Dilaudid and Percocet belonging to the facility and the patients thereof, or failed to take precautions to prevent the misappropriation of the medications. Respondent's conduct was likely to defraud the facility and patients of the cost of the medication.
12. On or about September 7, 2010, while employed with Air Force Village II Health Care Center, San Antonio, Texas, Respondent failed to assess and intervene when he failed to initiate CPR on Resident Medical Record Number 1275-01 when the resident, who was a full code, was found unresponsive and without vital signs. Subsequently, the resident was transferred to an acute care facility where was pronounced expired. Respondent's conduct may have contributed to the resident's demise.
13. The Respondent's conduct described in the preceding Findings of Fact was reportable under the provisions of Sections 301.401-301.419, Texas Occupations Code.
14. The Board finds that there exists serious risks to public health and safety as a result of impaired nursing care due to intemperate use of controlled substances or chemical dependency.
15. Charges were filed on December 20, 2011.
16. Charges were mailed to Respondent on December 21, 2011.
17. Respondent's conduct described in Findings of Fact Numbers Six (6) through Twelve (12) resulted from Respondent's impairment by dependency on chemicals.
18. Respondent's compliance with the terms of a Board approved peer assistance program should be sufficient to protect patients and the public.

CONCLUSIONS OF LAW

1. Pursuant to Texas Occupations Code, Sections 301.451-301.455, the Board has jurisdiction over this matter.
2. Notice was served in accordance with law.
3. The evidence received is sufficient to prove violations of Section 301.452(b)(10)&(13), Texas Occupations Code, and 22 TEX. ADMIN. CODE §§ 217.11(1)(A),(1)(D),(1)(M),(1)(P) &(2)(A) and 217.12(1)(A),(1)(B),(1)(C),(4),(6)(C),(6)(G),(8),(10)(B),(10)(C)&(11)(B).
4. The evidence received is sufficient cause pursuant to Section 301.452(b), Texas Occupations Code, to take disciplinary action against Vocational Nurse License Number 154867, heretofore issued to ENRIQUE PLACIDO FLORES, including revocation of Respondent's license(s) to practice nursing in the State of Texas.
5. The Board may, in its discretion, order a nurse to participate in a peer assistance program approved by the Board if the nurse would otherwise have been eligible for referral to peer assistance pursuant to Section 301.410, Texas Occupations Code.

ORDER

IT IS THEREFORE AGREED and ORDERED that RESPONDENT, in lieu of the sanction of Revocation under Section 301.453, Texas Occupations Code, SHALL comply with the following conditions for such a time as is required for RESPONDENT to successfully complete the Texas Peer Assistance Program for Nurses (TPAPN):

(1) RESPONDENT SHALL, within forty-five (45) days following the date of entry of this final Order, apply to TPAPN and SHALL, within ninety (90) days following the date of entry of this final Order, sign and execute the TPAPN participation agreement, which SHALL include payment of a non-refundable participation fee in the amount of three hundred fifty dollars (\$350.00) payable to TPAPN.

(2) Upon acceptance into the TPAPN, RESPONDENT SHALL waive confidentiality and provide a copy of the executed TPAPN participation agreement to the Texas Board of Nursing.

(3) RESPONDENT SHALL comply with all requirements of the TPAPN participation agreement during its term and SHALL keep his license(s) to practice nursing in the State of Texas current.

(4) RESPONDENT SHALL CAUSE the TPAPN to notify the Texas Board of Nursing of any violation of the TPAPN participation agreement.

IT IS FURTHER AGREED and ORDERED, RESPONDENT SHALL comply in all respects with the Nursing Practice Act, Texas Occupations Code, Section §§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 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 multistate licensure 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, SHOULD RESPONDENT fail to comply with this Order or the terms of the participation agreement with the TPAPN, such noncompliance will result in further disciplinary action including EMERGENCY SUSPENSION pursuant to Section 301.4551, Texas Occupations Code, or REVOCATION of Respondent's license(s) and nurse licensure compact privileges, if any, to practice nursing in the State of Texas.

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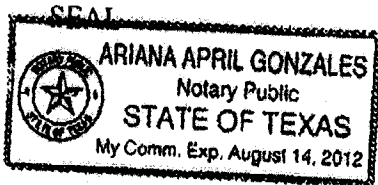
RESPONDENT'S CERTIFICATION

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 violations alleged herein. I do acknowledge possessing a diagnosis that deems me eligible to participate in the Texas Peer Assistance Program for Nurses. By my signature on this Order, I agree to the Findings of Fact, Conclusions of Law, and Conditions One (1) through Four (4) of this Order to obtain disposition of the allegations through peer assistance and to avoid further disciplinary action in this matter. I waive judicial review of this Order. I understand that this Order becomes effective upon acceptance by the Executive Director on behalf of the Texas Board of Nursing, 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 14 day of Feb, 2012.

Enrique Placido Flores
ENRIQUE PLACIDO FLORES, Respondent

Sworn to and subscribed before me this 14 day of Feb, 2012.



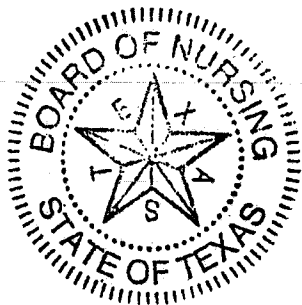
Ariana April Gonzales
Notary Public in and for the State of Texas

Approved as to form and substance.

Kunal K. Udeshi
Kunal K. Udeshi, Attorney for Respondent

Signed this 14 day of Feb, 2012

WHEREFORE PREMISES CONSIDERED, the Executive Director, on behalf of the Texas Board of Nursing, does hereby accept and enter the Agreed Order that was signed on the 14th day of February, 2012, by ENRIQUE PLACIDO FLORES, Vocational Nurse License Number 154867, and said Order is final.



Entered and effective this 16th day of February, 2012.

Katherine A. Thomas

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

In the Matter of § BEFORE THE TEXAS
Permanent Vocational Nurse §
License Number 154867 §
Issued to ENRIQUE PLACIDO FLORES, §
Respondent § BOARD OF NURSING

ORDER OF TEMPORARY SUSPENSION

TO: ENRIQUE PLACIDO FLORES
9802 MISTY PLAIN DRIVE
SAN ANTONIO, TX 78245

A public meeting of the Texas Board of Nursing was held on January 2, 2013 at 333 Guadalupe, Room 3-460, Austin, Texas, in which the Temporary Suspension of Permanent Vocational Nurse License Number 154867, issued to ENRIQUE PLACIDO FLORES was considered pursuant to Section 301.4551, TEXAS OCCUPATIONS CODE. Staff of the Texas Board of Nursing appeared and presented evidence and information concerning the conduct of ENRIQUE PLACIDO FLORES and whether his continued practice as a nurse would constitute a continuing and imminent threat to the public welfare.

After review and due consideration of the evidence and information presented, the Board finds that the following charges are substantiated:

CHARGE I.

On or about October 1, 2012, while employed with Regent Care Center, San Marcos, Texas, Respondent engaged in the intemperate use of alcohol in that while participating in the Texas Peer Assistance Program for Nurses (TPAPN), Respondent submitted a specimen for a drug screen which resulted positive for Ethylglucuronide (EtG) and Ethylsulfate (EtS). Respondent also admitted to drinking wine at his son's birthday party over the previous weekend. The use of Alcohol by a Vocational Nurse, while subject to call or duty, could impair the nurse's ability to recognize subtle signs, symptoms or changes in the patient's condition, and could impair the nurse's ability to make rational, accurate, and appropriate assessments, judgments, and decisions regarding patient care, thereby placing the patient in potential danger.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(9)&(10), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.12(5),(10)(A)&(11)(B).



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.
[Signature]
Executive Director of the Board

CHARGE II.

On or about October 1, 2012, while employed with Regent Care Center, San Marcos, Texas, Respondent failed to comply with the Agreed Order issued to him by the Texas Board of Nursing on February 16, 2012. Respondent failed to comply with all the requirements of the TPAPN participation agreement, as required by Stipulation Number Three (3) of the Agreed Order dated February 16, 2012, which reads as follows:

(3) RESPONDENT SHALL, comply with all the requirements of the TPAPN participation agreement during its term and SHALL keep his license(s) to practice nursing in the State of Texas current.

On October 15, 2012, Respondent was dismissed from TPAPN and referred to the Board. A copy of the Agreed Order dated February 16, 2012, is attached and incorporated by reference as part of this pleading.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(1)&(10), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.12(9)&(11)(B).

The Texas Board of Nursing further finds that, given the nature of the charges concerning his fitness to practice, the continued practice of nursing by ENRIQUE PLACIDO FLORES constitutes a continuing and imminent threat to public welfare and that the temporary suspension of Permanent Vocational Nurse License Number 154867, is justified pursuant to Section 301.4551, TEXAS OCCUPATIONS CODE.

NOW, THEREFORE, IT IS ORDERED that, Permanent Vocational Nurse License Number 154867, issued to ENRIQUE PLACIDO FLORES, to practice nursing in the State of Texas be, and the same is/are, hereby SUSPENDED IMMEDIATELY in accordance with Section 301.4551, TEXAS OCCUPATIONS CODE.

IT IS FURTHER ORDERED that a probable cause hearing be conducted in accordance with Section 301.455(c) not later than seventeen (17) days following the date of the entry of this order, and a final hearing on the matter be conducted in accordance with 301.455(d) not later than the 61st day following the date of the entry of this order.

Entered this 2nd day of January, 2013.

TEXAS BOARD OF NURSING

BY: *Kath A. Thomas*
KATHERINE A. THOMAS, MN, RN, FAAN
EXECUTIVE DIRECTOR

D4551-12/06/2012