



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 169699 §
issued to JOE LUIS RAMIREZ § ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board considered the matter of JOE LUIS RAMIREZ, Vocational Nurse License Number 169699, 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 notice and hearing and agreed to the entry of this Order approved by Katherine A. Thomas, MN, RN, FAAN, Executive Director, on September 5, 2014.

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 notice and hearing, and agreed to the entry of this Order.
3. Respondent's license to practice as a vocational nurse in the State of Texas is in current status.
4. Respondent received a Certificate in Vocational Nursing from Del Mar College, Corpus Christi, Texas, on August 19, 1998. Respondent was licensed to practice vocational nursing in the State of Texas on October 14, 1998.
5. Respondent's nursing employment history includes:

08/1998 - 08/02	GVN/LVN	Bay Area Hospital Corpus Christi, Texas
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Respondent's nursing employment history continued:

09/02 - 02/04	Unknown	
03/04 - 07/12	LVN	American Habilitation Services, Inc. Corpus Christi, Texas

6. At the time of the incident, Respondent was employed as a Licensed Vocational Nurse (LVN) with American Habilitation Services, Inc., Corpus Christi, Texas, and had been in that position for seven (7) years and three (3) months.
7. On or about June 20, 2011 through August 6, 2011, while employed with American Habilitation Services, Inc., Corpus Christi, Texas, Respondent practiced outside his scope as a LVN when providing care for Patient R. D. I. in that Respondent performed comprehensive assessments which were used to generate the Individual Plan of Care (IPC) hours for nursing services and he delegated medication administration which is required to be done by a registered nurse according to policy of Home and Community Based Services (HCS) Program. Respondent's conduct was likely to injure the patient from medical complications due to medical care he performed without sufficient training and that may have been inadequate, unsafe, and non-efficacious.
8. In response to Finding of Fact Number Seven (7), Respondent denies that he ever completed the RN delegation forms for any staff. He attended the yearly meetings and the team would agree on the care and medical needs for the patient for the upcoming year. As the nurse he would decide how many units he would need as the LVN to provide care. No full time RN was available, the agency had a contract RN who would complete the assessments, RN delegations and RN Chart review. As the program nurse he also completed the SAM's assessment yearly.

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)(T)&(2) and 22 TEX. ADMIN. CODE §217.12(1)(A),(1)(B),(1)(E) &(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 169699, heretofore issued to JOE LUIS RAMIREZ.

Dependency, or other Substance Use Disorder; and Lying and Falsification. Courses focusing on malpractice issues will not be accepted. Home study courses and video programs will not be approved.

- B. 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/these course(s), RESPONDENT SHALL CAUSE the instructor to submit a Verification of Course Completion form or SHALL submit the continuing education certificate, as applicable, to the attention of Monitoring at the Board's office. RESPONDENT SHALL first obtain Board approval of any course prior to enrollment if the course is not being offered by a pre-approved provider. *Information about Board-approved courses and Verification of Course Completion forms are available from the Board at www.bon.texas.gov/compliance.*

IV. MONETARY FINE

RESPONDENT SHALL **pay a monetary fine in the amount of two hundred fifty dollars (\$250.00) 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.

RESTORATION OF UNENCUMBERED LICENSE(S)

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

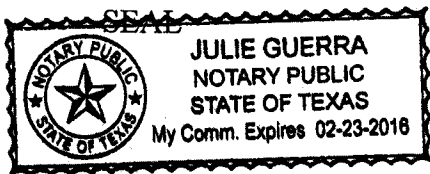
I understand that I have the right to legal counsel prior to signing this Agreed Order. I waive representation by counsel. I have reviewed this Order. I neither admit nor deny the violation(s) alleged herein. By my signature on this Order, I agree to the entry of this Order, and any conditions of said 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 possible revocation of my license(s) to practice nursing in the State of Texas, as a consequence of my noncompliance.

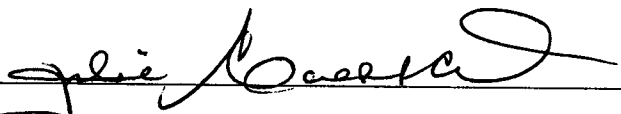
Signed this 3rd day of October, 2014.



JOE LUIS RAMIREZ, Respondent

Sworn to and subscribed before me this 3 day of October, 2014





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 3rd day of October, 2014, by JOE LUIS RAMIREZ, Vocational Nurse License Number 169699, and said Order is final.

Effective this 22nd day of October, 2014.



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