



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.
Patricia A. Thomas
Executive Director of the Board

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of §
Vocational Nurse License Number 196524 §
issued to RICARDO MIGUEL PACHECO §

ORDER OF THE BOARD

On this day, the Texas Board of Nursing, hereinafter referred to as the Board, accepted the voluntary surrender of Vocational Nurse License Number 196524, issued to RICARDO MIGUEL PACHECO, 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 is currently licensed to practice vocational nursing in the State of Texas.
2. Respondent waived informal proceedings, notice and hearing.
3. Respondent received a Certificate in Vocational Nursing from St. Philips College, San Antonio, Texas, on August 6, 2004. Respondent was licensed to practice vocational nursing in the State of Texas on December 2, 2004.
4. Respondent's vocational nursing employment history includes:

05/00 - 04/12	LVN	Metropolitan Methodist Hospital San Antonio, Texas
04/12 - 08/14	LVN	Mission Trail Baptist Hospital San Antonio, Texas
09/14 - Present	Unknown	

5. On or about August 15, 2014, while employed as a Licensed Vocational Nurse with Mission Trail Baptist Hospital, San Antonio, Texas, and assigned to the Emergency Department, Respondent exposed his genitals to Patient Medical Record Number 1422701528 several times and placed her hand on his penis. In addition, Respondent informed Patient Medical Record Number 1422701528, she was making him "hot", and advised her the interaction was confidential and therapeutic. Subsequently, when questioned by hospital staff, he admitted to exposing his genitals to Patient Medical Record Number 1422701528. Respondent's conduct was likely to cause emotional injury to the patient and could have interfered or disrupted this patient's treatment.
6. On or about August 15, 2014, while employed as a Licensed Vocational Nurse with Mission Trail Baptist Hospital, San Antonio, Texas, and assigned to the Emergency Department, Respondent placed a catheter in Patient Medical Record Number 1422701528 without a female present. Subsequently, Respondent told Patient Medical Record Number 1422701528 several times she was clean "down there." Respondent's conduct was likely to cause emotional injury to the patient and could have interfered or disrupted this patient's treatment.
7. Formal Charges were filed on December 19, 2014.
8. Formal Charges were mailed to Respondent on December 19, 2014.
9. On January 12, 2015, 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 January 12, 2015, 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)(B) & (1)(J) and 22 TEX. ADMIN. CODE §217.12(1)(A),(1)(B),(4),(6)(C),(6)(D)&(6)(E).
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 196524, heretofore issued to RICARDO MIGUEL PACHECO, 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.

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ORDER


NOW, THEREFORE, IT IS ORDERED that the voluntary surrender of Vocational Nurse License Number 196524, heretofore issued to RICARDO MIGUEL PACHECO, to practice nursing in the State of Texas, is/are 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 vocational nursing, use the title of vocational nurse or the abbreviation "LVN" or wear any insignia identifying himself as a vocational nurse or use any designation which, directly or indirectly, would lead any person to believe that RESPONDENT is a vocational nurse during the period in which the license/s is/are 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 12th day of January, 2015.

TEXAS BOARD OF NURSING

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

RICARDO MIGUEL PACHECO
411 WEINBERG AVE.
SAN ANTONIO, TX 78214
Texas Vocational Nurse License Number 196524

Voluntary Surrender Statement

Dear Texas Board of Nursing:

I no longer desire to be licensed as a nurse. Accordingly, I voluntarily surrender my license(s) to practice in Texas. I consent to the entry of an Order which outlines requirements for reinstatement of my license. I understand that I may not petition for reinstatement until one (1) year from the effective date of the Order. 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

Ricardo Miguel Pacheco

Date

1/12/15

Vocational Nurse License Number 196524

Approved as to form and substance

Lauro Bustamante

Lauro Bustamante, Attorney for Respondent

Signed this 12 day of January, 2015.

The State of Texas

Before me, the undersigned authority, on this date personally appeared RICARDO MIGUEL PACHECO who, being duly sworn by me, stated that he or she executed the above for the purpose therein contained and that he or she understood same.

Sworn to before me the 12 day of January, 2015

SEAL

Rebekah J. Bustamante
Notary Public in and for the State of Texas

