



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 831317 §  
issued to SUNITA SIGDEL § ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of SUNITA SIGDEL, Registered Nurse License Number 831317, 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)(8)&(10), 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 March 6, 2015.

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 professional nurse in the State of Texas is in NLC License - TX Invalid status.
4. Respondent received a Diploma in Nursing from Manipal Teaching Hospital, Phulbari, Kathmandu, Nepal on November 1, 2006. Respondent was licensed to practice professional nursing in the State of Texas on February 5, 2013, and was licensed to practice professional nursing in the State of Idaho on October 7, 2013.
5. Respondent's nursing employment history includes:
 

6/2007-5/2011	Registered Nurse	Manipal Teaching Hospital Pokhara, Nepal
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Respondent's nursing employment history continued:

12/2012-3/2013      Registered Nurse      Spring Creek Health Care Center  
Fort Collins, Colorado

4/2013-Present      Unknown

6. On or about February 11, 2011, Respondent submitted an NCLEX-RN (RN) Applicant examination for licensure to the Board which indicated Respondent was residing in the State of Texas.
7. On or about December 12, 2012, Respondent met licensure requirements for the State of Texas and completed the NCLEX-RN Examination with a passing score. Respondent was issued a Texas license on February 5, 2013. Respondent did not notify the Texas Board of Nursing that she had moved and established residence in the State of Colorado, and Respondent did not initiate a licensure application process in the State of Colorado.
8. On or about December 14, 2012, through February 4, 2013, Respondent accepted the position of Registered Nurse with Spring Creek Health Care Center, Fort Collins, Colorado, and practiced nursing without a license or privilege to practice nursing in the State of Colorado.
9. On or about February 5, 2013, through October 6, 2013, Respondent failed to inform the Texas Board of Nursing of her current address or that she was no longer residing in the State of Texas. On October 7, 2013, Respondent submitted change of address information to the Texas Board of Nursing indicating that her residence was in the State of Idaho and Respondent's license to practice professional nursing in the State of Texas was placed in "NLC (Nurse Licensure Compact) Invalid" status.
10. On or about February 26, 2015, Respondent relinquished her multistate licensure privilege (Privilege to Practice / PTP) to practice professional nursing the State of Colorado pursuant to the Nurse Licensure Compact associated with her license to practice professional nursing in the State of Idaho through a Stipulation and Final Agency Order by the State Board of Nursing, State of Colorado. A copy of the Stipulation and Final Agency Order, effective February 26, 2015, is attached and incorporated herein by reference as part of this Order.
11. In response to Finding of Fact Number Eight (8), Respondent states she would like the Texas Board of Nursing to resend the license that was issued to her on February 5, 2013, and reissue a new license in accordance with the normal length of time anyone who passes the NCLEX would be issued a license. Respondent states there was almost a two (2) month gap from when she passed the exam on December 7, 2012, until her license was issued.

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(6)(H)&220.2(t).
4. The evidence received is sufficient cause pursuant to Section 301.452(b)(8)&(10), Texas Occupations Code, to take disciplinary action against Registered Nurse License Number 831317, heretofore issued to SUNITA SIGDEL.
5. Pursuant to Section 301.463(d), Texas Occupations Code, this Agreed Order is a settlement agreement under Rule 408, Texas Rules of Evidence, in civil or criminal litigation.

### **TERMS OF ORDER**

#### **I. SANCTION AND APPLICABILITY**

IT IS THEREFORE AGREED and ORDERED that RESPONDENT SHALL receive the sanction of **REMEDIAL EDUCATION WITH A FINE** in accordance with the terms of this Order.

- A. This Order SHALL apply to any and all future licenses issued to Respondent to practice nursing in the State of Texas.
- B. This Order SHALL be applicable to Respondent's nurse licensure compact privileges, if any, to practice nursing in the State of Texas.
- C. Respondent may not work outside the State of Texas in another nurse licensure compact party state without first obtaining the written permission of the Texas Board of Nursing and the Board of Nursing in the nurse licensure compact party state where Respondent wishes to work.

#### **II. COMPLIANCE WITH LAW**

While under the terms of this Order, RESPONDENT agrees to 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.

### III. REMEDIAL EDUCATION COURSE(S)

In addition to any continuing education requirements the Board may require for licensure renewal, RESPONDENT SHALL successfully complete the following remedial education course(s) **within one (1) year of the effective date of this Order, unless otherwise specifically indicated:**

- A. **A Board-approved course in Texas nursing jurisprudence and ethics** that 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. 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](http://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.

### V. 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.

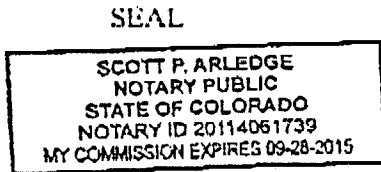
RESPONDENT'S CERTIFICATION

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 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 1 day of MAY, 2015.

*Sunita Sigdel*  
SUNITA SIGDEL, Respondent

Sworn to and subscribed before me this 1<sup>st</sup> day of May, 2015.



*Scott P. Arledge*  
Notary Public in and for the State of Colorado

Approved as to form and substance.

Tony R. Bertolino, Attorney for Respondent

Signed this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

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 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 30 day of April, 2015.

[Signature]  
SUNITA SIGDEL, Respondent

Sworn to and subscribed before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

SEAL

\_\_\_\_\_  
Notary Public in and for the State of \_\_\_\_\_

Approved as to form and substance.

[Signature]  
Tony R. Bertolino, Attorney for Respondent

Signed this 30<sup>th</sup> day of April, 2015.

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 1<sup>st</sup> day of May, 2015, by SUNITA SIGDEL, Registered Nurse License Number 831317, and said Order is final.

Effective this 1<sup>st</sup> day of May, 2015.

A handwritten signature in cursive script, appearing to read "Katherine A. Thomas".

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

BEFORE THE STATE BOARD OF NURSING

STATE OF COLORADO

Case No. 2014-3334



I do hereby certify the foregoing to be a true copy of the document which is on file or is of record in my office

*John A. Ryan* 2/26/15  
Authorized Signature

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**STIPULATION AND FINAL AGENCY ORDER**

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IN THE MATTER OF DISCIPLINARY PROCEEDINGS REGARDING THE MULTISTATE LICENSURE PRIVILEGE TO PRACTICE PROFESSIONAL NURSING IN THE STATE OF COLORADO PURSUANT TO THE NURSE LICENSURE COMPACT ASSOCIATED WITH IDAHO, LICENSE NUMBER ID RN 46513, ISSUED TO SUNITA SIGDEL, RN,

Respondent.

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IT IS HEREBY STIPULATED by and between the State Board of Nursing, Inquiry Panel B (the "Board"), and Sunita Sigdel, RN ("Respondent"), as follows:

1. Respondent was licensed to practice as a professional nurse in the State of Idaho, a party state to the Nurse Licensure Compact, sections 24-60-3201 and -3202, C.R.S., on October 7, 2013. Respondent has not practiced as a professional nurse in Colorado under her Idaho license.

2. Respondent was licensed to practice as a professional nurse in the State of Texas, a party state to the Nurse Licensure Compact, sections 24-60-3201 and -3202, C.R.S., on February 5, 2013. Respondent's Texas nursing license is now expired.

3. The Board has jurisdiction over the person of Respondent and the subject matter of this Stipulation and Final Agency Order ("Order").

4. It is the intent of the parties and the purpose of this Order to provide for a settlement of all matters set forth in case number 2014-3334 only, without the necessity of holding a formal disciplinary hearing. This Order constitutes the entire agreement between the parties, and there are no other agreements or promises, written or oral, which modify, interpret, construe, or affect this Order.

5. Respondent understands and acknowledges that:

a. Respondent has the right to be represented by an attorney of Respondent's choice, and Respondent has voluntarily chosen to proceed without representation;

b. Respondent has the right to a formal disciplinary hearing pursuant to sections 12-38-116.5 and 24-4-105, C.R.S.;



c. By entering into this Order, Respondent knowingly and voluntarily waives the right to a hearing, admits the facts contained in this Order, and relieves the Board of its burden of proving such facts;

d. By entering into this Order, Respondent knowingly and voluntarily waives the right to present a defense by oral and documentary evidence, and to cross-examine witnesses who would testify on behalf of the Board; and

e. By entering into this Order, Respondent knowingly and voluntarily waives the right to seek judicial review of this Order.

6. Respondent admits the following:

a. Respondent was certified as a nurse aide in the State of Colorado on October 12, 2011.

b. Respondent was employed as a certified nurse aide at Spring Creek Health Center ("SCHC") in Fort Collins, Colorado.

c. On or about December 14, 2012, Respondent accepted a promotion to a position as a professional nurse after she told SCHC that she had passed the RN NCLEX.

d. Respondent took the RN NCLEX on December 7, 2012.

e. The Texas Board of Nursing issued Respondent a multi-state license on February 5, 2013.

f. Respondent practiced as a professional nurse in Colorado and represented herself as a professional nurse without a license to practice professional nursing in any state from December 14, 2012 through February 5, 2013.

7. By virtue of the admissions in paragraph 6 above, Respondent admits, and the Board hereby finds, that Respondent is subject to discipline pursuant to section 12-38-117(1)(w), C.R.S.

8. The Board is authorized by section 12-38-116.5(4)(c)(III) and 24-60-3202 Art. II (h), C.R.S., to order appropriate disciplinary sanctions as set forth in this Order.

9. The Board is authorized to suspend, revoke, or otherwise discipline any licensee's multistate licensure privilege as provided in section 12-38-108(1)(b.5) and 24-60-3202 Art. II (h), C.R.S., for any of the following:

**12-38-117. Grounds for discipline.** (1) "Grounds for discipline," as used in this article, means any action by any person who:

- (w)(I) Represents himself or herself to an individual or to the general public by use of any word or abbreviation to indicate or induce others to believe that he or she is a licensed practical or professional nurse unless the person is actually licensed as a practical nurse or professional nurse, respectively; or
- (II) Uses the title "nurse", "registered nurse", "R.N.", "practical nurse", "trained practical nurse", "licensed vocational nurse", "licensed practical nurse", or "L.P.N." unless the person is licensed by the board.

10. Respondent hereby relinquishes the multistate licensure privilege to practice as a professional nurse in the State of Colorado, and requests that this Order be accepted by the Board with the same force and effect as an order entered as a result of a formal disciplinary hearing. The Board finds that it is in the public interest to accept said relinquishment with the full force and effect of a revocation ordered by the Board.

11. Respondent understands that in the future in order to again practice professional nursing pursuant to the Nurse Licensure Compact, Respondent must make a written request for multistate licensure privilege in the State of Colorado.

12. If Respondent requests multistate licensure privilege in the State of Colorado at any future time, Respondent will be required to comply with all licensure criteria which exist at the time of the application and such terms and conditions as deemed necessary by the Board to assure the public health, safety and welfare.

13. The decision whether or not to grant Respondent's request for multistate licensure privilege shall rest exclusively in the discretion of the Board.

14. Both parties acknowledge that the terms of this Order were mutually negotiated and determined.

15. Both parties acknowledge that they understand the legal consequences of this Order, both parties enter into this Order voluntarily, and both parties agree that no term or condition of this Order is unconscionable.

16. This Order shall become an order of the Board when accepted and signed by the Program Director or authorized Board representative.

17. This Order shall become effective upon (a) mailing by first-class mail to Respondent at Respondent's address of record with the Board, or (b) service by electronic means on Respondent at Respondent's electronic address of record with the Board. Respondent hereby consents to service by electronic means if Respondent has an electronic address on file with the Board.

18. Upon becoming effective, this Order shall become a permanent part of the record and shall be open to public inspection and publicized pursuant to the Board's standard policies and procedures. Additionally, this Order shall be reported to the National Council of State Boards of Nursing, the National Practitioner Data Bank, and as otherwise required by state or federal law.

RESPONDENT

STATE BOARD OF NURSING



SUNITA SIGDEL, RN



GEORGIA ROBERTS FOR GEORGIA ROBERTS  
Program Director  
State Board of Nursing  
1560 Broadway, Suite 1370  
Denver, Colorado 80202

Effective Date: This 26<sup>th</sup> day of

FEBRUARY, 2015.