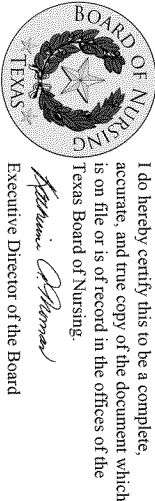


BEFORE THE TEXAS BOARD OF NURSING

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In the Matter of §  
Registered Nurse License Number 224003 §  
issued to GLORIA ANN VICK KOTARA §



ORDER OF THE BOARD

On this day, the Texas Board of Nursing, hereinafter referred to as the Board, accepted the voluntary surrender of Registered Nurse License Number 224003, issued to GLORIA ANN VICK KOTARA, hereinafter referred to as Respondent. This action was taken in accordance with Section 301.453(c), Texas Occupations Code.

Respondent waived representation by counsel, 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 professional nursing in the State of Texas.
2. Respondent waived representation by counsel, informal proceedings, notice and hearing.
3. Respondent received a Diploma in Nursing from Scott & White, Temple, Texas, on May 1, 1970, and received a Baccalaureate Degree in Nursing from The University of Texas at Tyler, Tyler, Texas, in 1997. Respondent was licensed to practice professional nursing in the State of Texas in August 10, 1970.

4. Respondent's nursing employment history includes:

8/70 - 1/99	Unknown	
2/99 - 10/00	Staff Nurse	Garden Terrace Healthcare Austin, Texas
10/00 - 3/01	Staff Nurse	Southwood Care Center Austin, Texas

Respondent's nursing employment history continued:

4/01 - 7/03	Staff Nurse	River Spring Healthcare San Marcos, Texas
7/03 - 12/10	Staff Nurse	Stonebridge Healthcare Austin, Texas
1/11 - 9/13	Staff Nurse	Legend Oaks Healthcare and Rehabilitation Kyle, Texas
10/13 - present	Unknown	

5. On January 23, 2014, Respondent's license to practice professional nursing was Suspended, with the suspension Stayed and Respondent was placed on Probation for a period of two (2) years by the Texas Board of Nursing. A copy of the January 23, 2014, Agreed Order, Findings of Fact, and Conclusions of Law is attached and incorporated herein by reference as part of this Order.
6. On June 26, 2015, the Board received a notarized statement from Respondent voluntarily surrendering the right to practice professional nursing in the State of Texas in lieu of complying with the Agreed Order issued to her on January 23, 2014. A copy of Respondent's notarized statement, dated June 24, 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 cause pursuant to Section 301.452(b)(1), Texas Occupations Code, to take disciplinary action against Registered Nurse License Number 224003, heretofore issued to GLORIA ANN VICK KOTARA, including revocation of Respondent's license(s) to practice nursing in the State of Texas.
4. Under Section 301.453(c), Texas Occupations Code, the Board has the authority to accept the voluntary surrender of a license.
5. Under Section 301.453(d), Texas Occupations Code, the Board may impose conditions for reinstatement of licensure.

6. 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.

ORDER


NOW, THEREFORE, IT IS ORDERED that the voluntary surrender of Registered Nurse License Number 224003, heretofore issued to GLORIA ANN VICK KOTARA, 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 professional nursing, use the title of registered nurse or the abbreviation RN or wear any insignia identifying herself as a registered nurse or use any designation which, directly or indirectly, would lead any person to believe that RESPONDENT is a/an registered 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 26th day of June, 2015.

TEXAS BOARD OF NURSING

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

June 24, 2015

Dear Texas Board Of Nursing:

I've decided to voluntarily surrender my RN license( # 224003), in lieu of finishing my Texas Board of Nursing order for Probation.

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Sincerely, Gloria Kotara

*Gloria Kotara*

**TEXAS ORDINARY CERTIFICATE OF ACKNOWLEDGMENT**  
**CIVIL PRACTICE & REMEDIES CODE § 121.007**

The State of Texas

County of Hays

Before me,

Diana Solis

Name and Character of Notarizing Officer,  
e.g., "John Smith, Notary Public"

on this day personally appeared

Gloria Kotara

Name of Signer

☐ known to me

☐ proved to me on the oath of

Name of Credible Witness

☒ proved to me through

TXDL

Description of Identity Card or Document

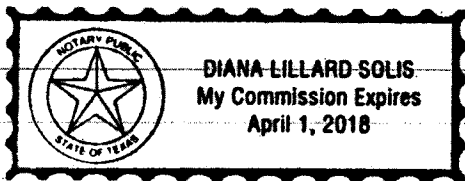
to be the person whose name is subscribed to  
the foregoing instrument and acknowledged  
to me that he/she executed the same for the  
purposes and consideration therein expressed.

Given under my hand and seal of office this

24 day of June, 2015.  
Day Month Year

Diana Solis

Signature of Notarizing Officer



Place Notary Seal and/or Stamp Above

**OPTIONAL**

Though this section is optional, completing this information can deter alteration of the document  
or fraudulent reattachment of this form to an unintended document.

**Description of Attached Document**

Title or Type of Document: Surrender of RN license

Document Date: 06-24-2015 Number of Pages: 2

Signer(s) Other Than Named Above: \_\_\_\_\_



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
Registered Nurse License Number 224003	§	
issued to GLORIA ANN VICK KOTARA	§	ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of GLORIA ANN VICK KOTARA, Registered Nurse License Number 224003, 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 representation by counsel, informal proceedings, notice and hearing, and agreed to the entry of this Order approved by Katherine A. Thomas, MN, RN, FAAN, Executive Director, on October 23, 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 representation by counsel, 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 Scott & White, Temple, Texas on May 1, 1970, and received a Baccalaureate Degree in Nursing from The University of Texas at Tyler, Tyler, Texas in 1997. Respondent was licensed to practice professional nursing in the State of Texas on August 10, 1970.
5. Respondent's nursing employment history includes:  

8/1970-1/1999	Unknown
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Respondent's nursing employment history continued:

2/1999-10/2000	Staff Nurse	Garden Terrace Healthcare Austin, Texas
10/2000-3/2001	Staff Nurse	Southwood Care Center Austin, Texas
4/2001-7/2003	Staff Nurse	River Spring Healthcare San Marcos, Texas
7/2003-12/2010	Staff Nurse	Stonebridge Healthcare Austin, Texas
1/2011-9/2013	Staff Nurse	Legend Oaks Healthcare and Rehabilitation Kyle, Texas
10/2013-Present		Unknown

6. At the time of the incident, Respondent was employed as a Staff Nurse with Legend Oaks Healthcare and Rehabilitation, Kyle, Texas, and had been in this position for two (2) years and eight (8) months.
7. On or about September 14, 2013, while employed as a Staff Nurse with Legend Oaks Healthcare and Rehabilitation, Kyle, Texas, Respondent failed to provide Resident R.H. with cardiopulmonary resuscitation (CPR) after finding the resident unresponsive and without a pulse. Instead of implementing life saving interventions, Respondent left the resident for approximately ten (10) minutes while she placed a call to a Clinical Nurse Specialist, who then instructed Respondent to start CPR and call emergency medical services (EMS). The resident, who was a full code, was subsequently pronounced deceased by EMS. Respondent's conduct exposed the resident unnecessarily to risk of harm from inadequate treatment and may have contributed to the resident's demise.
8. In response to Finding of Fact Number Seven (7), Respondent states that due to the circumstances on the unit and being busy, she had no time to determine the code status on all the residents. Respondent states that she had medicated the patient and readjusted him for complaints of shortness of breath and general discomfort, and the patient was responsive when the nurse assistant next checked on him. Respondent states that when she next checked on the patient approximately forty-five minutes later, she found him without a pulse or respirations. Respondent states that at that time, she did not know he was a full code, and believed she had to report to the clinical nurse specialist. Respondent adds that her CPR certification was current, but in the last twelve years she has had no occasion to do CPR on a real person and was unprepared for the event.

### 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)(M)&(3)(A) and 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 224003, heretofore issued to GLORIA ANN VICK KOTARA, 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 Registered Nurse License Number 224003, previously issued to GLORIA ANN VICK KOTARA, to practice nursing in Texas is/are hereby SUSPENDED for a period of two (2) years with the suspension STAYED and Respondent is hereby placed on PROBATION for two (2) years with the following agreed terms of probation:

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.



(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, 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>.

(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>.*

(4) RESPONDENT SHALL, within sixty (60) days of entry of this Order, successfully complete a course in Basic Cardiopulmonary Life Support for Healthcare Providers. RESPONDENT SHALL obtain Board approval of the course and instructor prior to enrollment. Home study courses and video programs will not be approved. In order for the course to be approved, the target audience shall include Nurses. The course shall be a minimum of four and one half (4 ½) hours in length. The course's content shall include: Adult, Infant, and Child 1- and 2-Rescuer CPR; Adult, Infant, and Child Foreign Body Airway Obstruction for both responsive and unresponsive victims; and Adult Automated External Defibrillation. In order to receive credit for completion of this workshop, RESPONDENT SHALL obtain the Verification of Course Completion form from the Board's website, <http://www.bon.texas.gov/disciplinaryaction/pdfs/i17.pdf>, and SHALL SUBMIT the Verification of Course Completion form to the Board's office, to the attention of Monitoring, after having the form completed and signed by the course instructor. RESPONDENT SHALL also submit a front and back copy of the course completion card along with the Verification of Course Completion form. 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.

**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 TWO (2) YEAR(S) OF EMPLOYMENT. THE LENGTH OF THE PROBATIONARY PERIOD WILL BE EXTENDED UNTIL SUCH TWENTY-FOUR (24) 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:**

(5) RESPONDENT SHALL notify each present employer 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 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 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.

(6) 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.

(7) 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, as applicable, 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.

(8) 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.

(9) 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 two (2) year(s) of employment as a nurse.

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(s), 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 may be eligible for nurse licensure compact privileges, if any.

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RESPONDENT'S CERTIFICATION

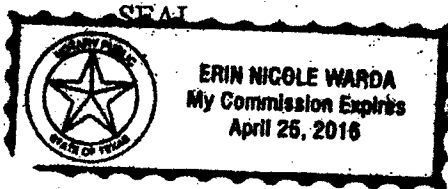
I understand that I have the right to legal counsel prior to signing this Agreed Order.

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 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 2nd day of Nov, 2013.

Gloria Ann Vick Kotara  
GLORIA ANN VICK KOTARA, Respondent

Sworn to and subscribed before me this 22 day of November, 2013.



Erin Nicole Warda  
Notary Public in and for the State of Texas

WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Agreed Order that was signed on the 22<sup>nd</sup> day of November, 2013, by GLORIA ANN VICK KOTARA, Registered Nurse License Number 224003, and said Order is final.

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Effective this 23<sup>rd</sup> day of January, 2014.



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