



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 132039	§	
issued to VICKIE GARLENE GOMEZ	§	ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of VICKIE GARLENE GOMEZ, Vocational Nurse License Number 132039, 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)&(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 July 24, 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 vocational nurse in the State of Texas is in current status.
4. Respondent received a Certificate in Vocational Nursing from Texas State Technical College West Texas, Sweetwater, Texas on February 28, 1991. Respondent was licensed to practice vocational nursing in the State of Texas on May 30, 1991.
5. Respondent's nursing employment history includes:

1991-1993	Licensed Vocational Nurse	Canterberry Villa Ballinger, Texas
-----------	---------------------------	---------------------------------------

Respondent's nursing employment history continued:

1993-1997	Licensed Vocational Nurse	Senior Citizens Nursing Home Winter, Texas
1998-2001	Licensed Vocational Nurse	Jerry Biddix, MD Winter, Texas
2000-2002	Licensed Vocational Nurse	Runnels County Nursing and Rehabilitation Ballinger, Texas
5/2002-5/2003	Licensed Vocational Nurse	Bronte Health and Rehab Bronte, Texas
2003/2004	Licensed Vocational Nurse	Texas Nurse Connection Abilene, Texas
10/2004-7/2011	Licensed Vocational Nurse	Sears Methodist Nursing Center/Wisteria Place Abilene, Texas
7/2011-11/2012	Licensed Vocational Nurse	Care Inn of Abilene Abilene, Texas
11/2012-11/2013	Licensed Vocational Nurse	Central Texas Nursing and Rehab Ballinger, Texas
11/2013 - present	Licensed Vocational Nurse	Bronte Health and Rehab Bronte, Texas

6. On or about July 17, 2014, Respondent was issued the sanction of WARNING WITH STIPULATIONS by the Texas Board of Nursing. A copy of the Findings of Fact, Conclusions of Law, and Agreed Order dated July 17, 2014, is attached and incorporated, by reference, as part of this Order.
7. On or about July 27, 2014, Respondent failed to comply with the Agreed Order issued to her on July 17, 2014, by the Texas Board of Nursing. Noncompliance is the result of Respondent's failure to comply with Stipulation Number Five (5) of the Agreed Order which states, in pertinent part:

(5) 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 ten (10) days of receipt of this Order.

8. On or about October 31, 2014, Respondent failed to comply with the Agreed Order issued to her on July 17, 2014, by the Texas Board of Nursing. Noncompliance is the result of Respondent's failure to comply with Stipulation Number Seven (7) of the Agreed Order which states, in pertinent part:

(7) RESPONDENT SHALL CAUSE each employer to submit, on forms provided to Respondent by the Board, periodic reports as to Respondents capability to practice vocational nursing. These reports shall be submitted by the supervising nurse to the office of the Board at the end of each three (3) months for the first year of employment as a vocational nurse.

9. On or about January 31, 2015, Respondent failed to comply with the Agreed Order issued to her on July 17, 2014, by the Texas Board of Nursing. Noncompliance is the result of Respondent's failure to comply with Stipulation Number Seven (7) of the Agreed Order which states, in pertinent part:

(7) RESPONDENT SHALL CAUSE each employer to submit, on forms provided to Respondent by the Board, periodic reports as to Respondents capability to practice vocational nursing. These reports shall be submitted by the supervising nurse to the office of the Board at the end of each three (3) months for the first year of employment as a vocational nurse.

10. On or about April 30, 2015, Respondent failed to comply with the Agreed Order issued to her on July 17, 2014, by the Texas Board of Nursing. Noncompliance is the result of Respondent's failure to comply with Stipulation Number Seven (7) of the Agreed Order which states, in pertinent part:

(7) RESPONDENT SHALL CAUSE each employer to submit, on forms provided to Respondent by the Board, periodic reports as to Respondents capability to practice vocational nursing. These reports shall be submitted by the supervising nurse to the office of the Board at the end of each three (3) months for the first year of employment as a vocational nurse.

11. In response to Findings of Fact Numbers Seven (7) through Ten (10), Respondent states she has done everything she can do to abide by the regulations set. She turned in all paperwork to her Director of Nursing last year and was told that the paperwork was turned in at that time for verification of employment. She does not know what happened to the one sent last year as the supervisor that filed it is no longer employed there so she cannot ask her about it.

#### 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(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 132039, heretofore issued to VICKIE GARLENE GOMEZ, including revocation of Respondent's license(s) to practice nursing in the State of Texas.

---

**TERMS OF ORDER**

**I. SANCTION AND APPLICABILITY**

IT IS THEREFORE AGREED and ORDERED that RESPONDENT SHALL receive the sanction of **REPRIMAND WITH STIPULATIONS AND 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. MONETARY FINE**

RESPONDENT SHALL **pay a monetary fine in the amount of one thousand dollars (\$1,000.00) within ninety (90) 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.

**IV. COMPLIANCE WITH PRIOR ORDER**

The Order of the Board issued to RESPONDENT on July 17, 2014, is still in effect in its entirety and RESPONDENT SHALL be responsible for completing the terms of that Order.

---

BALANCE OF THIS PAGE INTENTIONALLY LEFT BLANK.

CONTINUED ON NEXT PAGE.

---

RESPONDENT'S CERTIFICATION

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

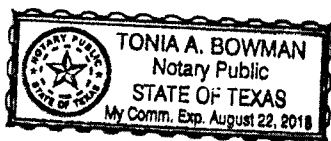
I waive representation by counsel. I have reviewed this Order. I neither admit nor deny the violation(s) alleged herein. By my signature on this Order, I agree to the entry of this Order, and any conditions of said Order, to avoid further disciplinary action in this matter. I waive judicial review of 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 12<sup>th</sup> day of August, 2015.

Vickie Garlene Gomez  
VICKIE GARLENE GOMEZ, Respondent

Sworn to and subscribed before me this 12<sup>th</sup> day of August, 2015.

SEAL



Tonia A. Bowman  
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 12th day of August, 2015, by ~~VICKIE GARLENE GOMEZ, Vocational Nurse License Number 132039, and said Order is final.~~

Effective this 8th day of September, 2015.



---

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

---

BEFORE THE TEXAS BOARD OF NURSING

\*\*\*\*\*

In the Matter of § AGREED  
Vocational Nurse License Number 132039 §  
issued to VICKIE GARLENE GOMEZ § ORDER

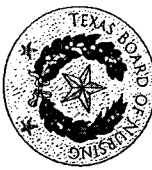
On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of VICKIE GARLENE GOMEZ, Vocational Nurse License Number 132039, hereinafter referred to as Respondent.

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 April 13, 2014, 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 vocational nursing in the State of Texas.
4. Respondent received a Certificate in Vocational Nursing from Texas State Technical College, Sweetwater, Texas, on February 28, 1991. Respondent was licensed to practice vocational nursing in the State of Texas on May 30, 1991.
5. Respondent's nursing employment history includes:

1991-1993	Licensed Vocational Nurse	Canterberry Villa Ballinger, Texas
1993-1997	Licensed Vocational Nurse	Senior Citizens Nursing Home Winter, Texas



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



Respondent's nursing employment history continued:

1998-2001	Licensed Vocational Nurse	Jerry Biddix, MD Winter, Texas
2000-2002	Licensed Vocational Nurse	Runnels County Nursing and Rehabilitation Ballinger, Texas
5/2002-5/2003	Licensed Vocational Nurse	Bronte Health and Rehab Bronte, Texas
2003/2004	Licensed Vocational Nurse	Texas Nurse Connection Abilene, Texas
10/2004-7/2011	Licensed Vocational Nurse	Sears Methodist Nursing Center/Wisteria Place Abilene, Texas
7/2011-11/2012	Licensed Vocational Nurse	Care Inn of Abilene Abilene, Texas
11/2012-Present	Licensed Vocational Nurse	Central Texas Nursing and Rehab Ballinger, Texas

6. At the time of the incident, Respondent was employed as a Licensed Vocational Nurse with Care Inn of Abilene, Abilene, Texas, and had been in this position for one (1) year and four (4) months.
7. On or about November 7, 2012, while employed with Care Inn of Abilene, Abilene, Texas, Respondent failed to intervene for Patient Medical Record Number 290354 when a Certified Nursing Assistant (CNA) reported to her, twice, that the patient was not breathing. A Certified Medication Aide (CMA), who listened to the CNA and responded to his concern for the patient subsequently called a code blue. Resuscitation efforts were not successful and the patient died. Respondent's conduct exposed the patient unnecessarily to risk of harm from delaying effective treatment and deprived the patient of the benefit of life saving medical interventions, and may have contributed to the patient's death.
8. In response to Finding of Fact Number Seven (7), Respondent states a CNA came to her and said that the patient was having trouble breathing. Respondent states she told the CNA that she knew and that she had just started a breathing treatment and that she would check on the resident in a few minutes. Respondent states she was with another resident at the time and as she finished with that resident the CNA returned and told her that the resident wasn't breathing so she went to the resident's room and found him without respirations so she told the CNA she needed help and to have someone call for help. Respondent states the CMA called a code blue on the overhead and staff responded.

### 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)&(1)(P) 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 Vocational Nurse License Number 132039, heretofore issued to VICKIE GARLENE GOMEZ, 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 RESPONDENT SHALL receive the sanction of WARNING WITH STIPULATIONS, and 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.

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, 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 that:

(1) 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/compliance>.

(2) 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/compliance>.*

(3) 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/compliance>, 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 STIPULATIONS FOR ONE (1) YEAR(S) OF EMPLOYMENT. THE LENGTH OF THE STIPULATION PERIOD WILL**

BE EXTENDED UNTIL SUCH TWELVE (12) 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:

(4) RESPONDENT SHALL notify each present employer in nursing of this Order of the Board and the stipulations 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 stipulations 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.

(5) 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.

(6) 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.

(7) 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 one (1) year(s) of employment as a nurse.

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.

BALANCE OF THIS PAGE INTENTIONALLY LEFT BLANK.

CONTINUED ON NEXT PAGE.

RESPONDENT'S CERTIFICATION

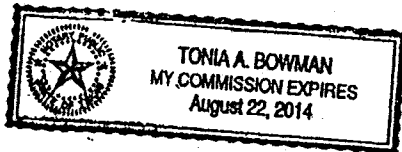
I understand that I have the right to legal counsel prior to signing this Agreed Order. I waive representation by counsel. I have reviewed this Order. I neither admit nor deny the violation(s) alleged herein. By my signature on this Order, I agree to the Findings of Fact, Conclusions of Law, Order, and 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 4<sup>th</sup> day of June, 2014.

Vickie Garlene Gomez  
VICKIE GARLENE GOMEZ, RESPONDENT

Sworn to and subscribed before me this 4<sup>th</sup> day of June, 2014.

SEAL



Tonia A. Bowman  
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 4<sup>th</sup> day of June, 2014, by VICKIE GARLENE GOMEZ, Vocational Nurse License Number 132039, and said Order is final.

Effective this 17<sup>th</sup> day of July, 2014.



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