



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

IN THE MATTER OF
PERMANENT NURSE
LICENSE NUMBER 221065,
ISSUED TO DARRYK MANUEL CARAVEO
RESPONDENT

§ BEFORE THE TEXAS
§
§
§
§ BOARD OF NURSING

NUNC PRO TUNC ORDER OF THE BOARD

TO: DARRYK MANUEL CARAVEO
1203 BOB POOL AVE
PHARR, TX 78577

An Order of the Board was entered for Darryk Manuel Caraveo on November 10, 2015. The Order, however, contained the wrong effective date. Upon notice and hearing, administrative agencies, like the Courts, have the power to enter nunc pro tunc orders where it can be seen by reference to a record that what was intended to be entered, but was omitted by inadvertence or mistake, can be corrected upon satisfactory proof of its rendition provided that no intervening rights will be prejudiced. *Railroad Comm'n v. McClain*, 356 S.W.2d 330, 334 (Tex. App.--Austin 1962, no writ) (citing *Frankfort Ky. Nat. Gas Co. v. City of Frankfort*, 276 Ky. 199, 123 S.W.2d 270, 272).

The Executive Director, as agent of the Texas Board of Nursing, after review and due consideration of the record and the facts therein submits and enters the corrected Order, which contains the correct effective date of the Order. Respondent received due process regarding his license; therefore, his rights have not been prejudiced.

NOW, THEREFORE, IT IS ORDERED that the corrected Order of the Board is hereby approved and entered on the dates set forth below.

Order effective November 10, 2015.

Entered this 7th day of December, 2015.

BY:

KATHERINE A. THOMAS, MN, RN, FAAN
EXECUTIVE DIRECTOR ON BEHALF OF SAID BOARD

IN THE MATTER OF	§	BEFORE THE TEXAS
PERMANENT VOCATIONAL NURSE	§	BOARD OF NURSING
LICENSE NUMBER 221065	§	
ISSUED TO DARRYK MANUEL CARAVEO,	§	ELIGIBILITY AND
RESPONDENT	§	DISCIPLINARY COMMITTEE

ORDER OF THE BOARD

TO: DARRYK MANUEL CARAVEO
1203 BOB POOL AVE
PHARR, TX 78577

During open meeting held in Austin, Texas, on November 10, 2015, the Texas Board of Nursing Eligibility and Disciplinary Committee (hereinafter "Committee") heard the above-styled case, based on the failure of the Respondent to appear as required by 22 TEX. ADMIN. CODE Ch. 213.

The Committee finds that notice of the facts or conduct alleged to warrant disciplinary action has been provided to Respondent in accordance with Texas Government Code § 2001.054(c) and Respondent has been given an opportunity to show compliance with all the requirements of the Nursing Practice Act, Chapter 301 of the Texas Occupations Code, for retention of Respondent's license(s) to practice nursing in the State of Texas.

The Committee finds that the Formal Charges were properly initiated and filed in accordance with section 301.458, Texas Occupations Code.

The Committee finds that after proper and timely Notice regarding the violations alleged in the Formal Charges was given to Respondent in this matter, Respondent has failed to appear in accordance with 22 TEX. ADMIN. CODE Ch. 213.

The Committee finds that the Board is authorized to enter a default order pursuant to Texas Government Code § 2001.056.

The Committee, after review and due consideration, adopts the proposed findings of fact and conclusions of law as stated in the Formal Charges which are attached hereto and incorporated by reference for all purposes and the Staff's recommended sanction of revocation by default. This Order

will be properly served on all parties and all parties will be given an opportunity to file a motion for rehearing [22 TEX. ADMIN.CODE § 213.16(j)]. All parties have a right to judicial review of this Order.

All proposed findings of fact and conclusions of law filed by any party not specifically adopted herein are hereby denied.

NOW, THEREFORE, IT IS ORDERED that Permanent Vocational Nurse License Number 221065, previously issued to DARRYK MANUEL CARAVEO, to practice nursing in the State of Texas be, and the same is/are hereby, REVOKED.

IT IS FURTHER ORDERED that this Order SHALL be applicable to Respondent's nurse licensure compact privileges, if any, to practice nursing in the State of Texas.

Entered this 10th day of November, 2015.

TEXAS BOARD OF NURSING

BY:



KATHERINE A. THOMAS, MN, RN, FAAN
EXECUTIVE DIRECTOR ON BEHALF OF SAID BOARD

Attachment: Formal Charges filed September 4, 2015.

d17r(2014.12.05)

Re: Permanent Advanced Practice Registered Nurse License Number ,
Permanent Registered Nurse License Number 0
& Permanent Vocational Nurse License Number 221065
Issued to DARRYK MANUEL CARAVEO
DEFAULT ORDER - REVOKE

CERTIFICATE OF SERVICE

I hereby certify that on the 12th day of November, 2015, a true and correct copy of the foregoing DEFAULT ORDER was served and addressed to the following person(s), as follows:

Via USPS Certified Mail, Return Receipt Requested

DARRYK MANUEL CARAVEO
1203 BOB POOL AVE
PHARR, TX 78577

Via USPS First Class Mail

BY:



KATHERINE A. THOMAS, MN, RN, FAAN
EXECUTIVE DIRECTOR ON BEHALF OF SAID BOARD

In the Matter of	§	BEFORE THE TEXAS
Permanent Vocational Nurse	§	
License Number 221065	§	
Issued to DARRYK MANUEL CARAVEO,	§	
Respondent	§	BOARD OF NURSING

FORMAL CHARGES

This is a disciplinary proceeding under Section 301.452(b), Texas Occupations Code. Respondent, DARRYK MANUEL CARAVEO, is a Vocational Nurse holding License Number 221065, which is in current status at the time of this pleading.

Written notice of the facts and conduct alleged to warrant adverse licensure action was sent to Respondent at Respondent's address of record and Respondent was given opportunity to show compliance with all requirements of the law for retention of the license prior to commencement of this proceeding.

CHARGE I.

On or about August 22, 2012, Respondent entered a plea Guilty and was convicted of to OP MV WHILE INTOXICATED, a misdemeanor offense, committed on August 19, 2012 in the City Court of Canandaigua, New York, under Docket No. CR12-0672. As a result of the conviction, Respondent was placed on probation for a period of one (1) year and was ordered to pay a fine.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(10), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.12(13).

CHARGE II.

On or about May 29, 2011, Respondent was arrested in Hildago County, Texas for POSS MARIJUANA <2OZ, a misdemeanor offense. Respondent entered into an agreement to participate in the pre-trial diversion program. On or about March 17, 2014, charges were dismissed under Cause No. CR-11-7320-A in the County Court at Law No. 1 of Hidalgo County, Texas, after Respondent successfully completed the Pre-Trial Diversion Program.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(10), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.12(13).

NOTICE IS GIVEN that staff will present evidence in support of the recommended disposition of up to, and including, revocation of Respondent's license/s to practice nursing in the State of Texas pursuant to the Nursing Practice Act, Chapter 301, Texas Occupations Code and the Board's rules, 22 Tex. Admin. Code §§ 213.27 - 213.33 and TEX. OCC. CODE Ch. 53. Additionally, staff will seek to impose on Respondent the administrative costs of the proceeding pursuant to Section 301.461, Texas Occupations Code. The cost of proceedings shall include, but is not limited to, the cost paid by the Board to the State Office of Administrative Hearings and the Office of the Attorney General or other Board counsel for legal and investigative services, the cost of a court reporter and witnesses, reproduction of records, Board staff time, travel, and expenses. These shall be in an amount of at

least one thousand two hundred dollars (\$1200.00).

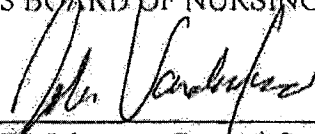
NOTICE IS GIVEN that all statutes and rules cited in these Charges are incorporated as part of this pleading and can be found at the Board's website, www.bon.texas.gov.

NOTICE IS GIVEN that to the extent applicable, based on the Formal Charges, the Board will rely on Adopted Disciplinary Guidelines for Criminal Conduct and on Adopted Disciplinary Sanction Policies for Nurses with Substance Abuse, Misuse, Substance Dependency, or other Substance Use Disorder, which can be found at the Board's website, www.bon.texas.gov.

NOTICE IS GIVEN that, based on the Formal Charges, the Board will rely on the Disciplinary Matrix, which can be found at www.bon.texas.gov/disciplinaryaction/discp-matrix.html.

Filed this 4 day of September, 2015.

TEXAS BOARD OF NURSING



James W. Johnston, General Counsel
Board Certified - Administrative Law
Texas Board of Legal Specialization
State Bar No. 10838300

Jena Abel, Assistant General Counsel
State Bar No. 24036103

Natalie E. Adelaja, Assistant General Counsel
State Bar No. 24064715

John R. Griffith, Assistant General Counsel
State Bar No. 24079751

Robert Kyle Hensley, Assistant General Counsel
State Bar No. 50511847

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State Bar No. 00785533

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IN THE MATTER OF	§	BEFORE THE TEXAS
PERMANENT VOCATIONAL NURSE	§	BOARD OF NURSING
LICENSE NUMBER 221065	§	
ISSUED TO DARRYK MANUEL CARAVEO,	§	ELIGIBILITY AND
RESPONDENT	§	DISCIPLINARY COMMITTEE

ORDER OF THE BOARD

TO: DARRYK MANUEL CARAVEO
1203 BOB POOL AVE
PHARR, TX 78577

During open meeting held in Austin, Texas, on November 10, 2015, the Texas Board of Nursing Eligibility and Disciplinary Committee (hereinafter "Committee") heard the above-styled case, based on the failure of the Respondent to appear as required by 22 TEX. ADMIN. CODE Ch. 213.

The Committee finds that notice of the facts or conduct alleged to warrant disciplinary action has been provided to Respondent in accordance with Texas Government Code § 2001.054(c) and Respondent has been given an opportunity to show compliance with all the requirements of the Nursing Practice Act, Chapter 301 of the Texas Occupations Code, for retention of Respondent's license(s) to practice nursing in the State of Texas.

The Committee finds that the Formal Charges were properly initiated and filed in accordance with section 301.458, Texas Occupations Code.

The Committee finds that after proper and timely Notice regarding the violations alleged in the Formal Charges was given to Respondent in this matter, Respondent has failed to appear in accordance with 22 TEX. ADMIN. CODE Ch. 213.

The Committee finds that the Board is authorized to enter a default order pursuant to Texas Government Code § 2001.056.

The Committee, after review and due consideration, adopts the proposed findings of fact and conclusions of law as stated in the Formal Charges which are attached hereto and incorporated by reference for all purposes and the Staff's recommended sanction of revocation by default. This Order

will be properly served on all parties and all parties will be given an opportunity to file a motion for rehearing [22 TEX. ADMIN.CODE § 213.16(j)]. All parties have a right to judicial review of this Order.

All proposed findings of fact and conclusions of law filed by any party not specifically adopted herein are hereby denied.

NOW, THEREFORE, IT IS ORDERED that Permanent Vocational Nurse License Number 221065, previously issued to DARRYK MANUEL CARAVEO, to practice nursing in the State of Texas be, and the same is/are hereby, REVOKED.

IT IS FURTHER ORDERED that this Order SHALL be applicable to Respondent's nurse licensure compact privileges, if any, to practice nursing in the State of Texas.

Entered this 11th day of November, 2015.

TEXAS BOARD OF NURSING

BY:



KATHERINE A. THOMAS, MN, RN, FAAN
EXECUTIVE DIRECTOR ON BEHALF OF SAID BOARD

Attachment: Formal Charge filed .

d17r(2014.12.05)

Re: Permanent Advanced Practice Registered Nurse License Number ,
Permanent Registered Nurse License Number 0
& Permanent Vocational Nurse License Number 221065
Issued to DARRYK MANUEL CARAVEO
DEFAULT ORDER - REVOKE

CERTIFICATE OF SERVICE

I hereby certify that on the 13th day of November, 2015, a true and correct copy of the foregoing DEFAULT ORDER was served and addressed to the following person(s), as follows:

Via USPS Certified Mail, Return Receipt Requested

DARRYK MANUEL CARAVEO
1203 BOB POOL AVE
PHARR, TX 78577

Via USPS First Class Mail

BY:



KATHERINE A. THOMAS, MN, RN, FAAN
EXECUTIVE DIRECTOR ON BEHALF OF SAID BOARD

In the Matter of	§	BEFORE THE TEXAS
Permanent Vocational Nurse	§	
License Number 221065	§	
Issued to DARRYK MANUEL CARAVEO,	§	
Respondent	§	BOARD OF NURSING

FORMAL CHARGES

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least one thousand two hundred dollars (\$1200.00).

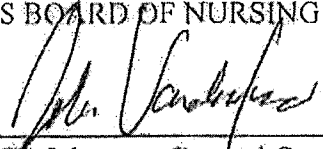
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NOTICE IS GIVEN that to the extent applicable, based on the Formal Charges, the Board will rely on Adopted Disciplinary Guidelines for Criminal Conduct and on Adopted Disciplinary Sanction Policies for Nurses with Substance Abuse, Misuse, Substance Dependency, or other Substance Use Disorder, which can be found at the Board's website, www.bon.texas.gov.

NOTICE IS GIVEN that, based on the Formal Charges, the Board will rely on the Disciplinary Matrix, which can be found at www.bon.texas.gov/disciplinaryaction/discip-matrix.html.

Filed this 4th day of September, 2015.

TEXAS BOARD OF NURSING


James W. Johnston, General Counsel
Board Certified - Administrative Law
Texas Board of Legal Specialization
State Bar No. 10838300
Jena Abel, Assistant General Counsel
State Bar No. 24036103
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