



Executive Director of the Board

## BEFORE THE TEXAS BOARD OF NURSING

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In the Matter of	§	AGREED
Vocational Nurse License Number 171914	§	
issued to WILLIAM JOSEPH DROTOS PABON	§	ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of WILLIAM JOSEPH DROTOS PABON, Vocational Nurse License Number 171914, hereinafter referred to as Respondent.

This action was taken in accordance with Section 301.453(c), Texas Occupations Code.

Respondent waived notice and hearing and agreed to the entry of this Order.

The Board makes the following Findings of Fact and Conclusions of Law.

## 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 the Army Practical Nurse Course, Fort Sam Houston, San Antonio, Texas, on March 19, 1999. Respondent was licensed to practice vocational nursing in the State of Texas on May 20, 1999.
5. Respondent's nursing employment history includes:

05/99 - 11/06	Unknown
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12/06 - 02/07	ER Nurse	Alamo Heights Minor Emergency Clinic Alamo Heights, Texas
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Respondent's nursing employment history continued:

03/07 - 03/12	Director of Clinical Operations	Alamo Heights Minor Emergency Clinic Alamo Heights, Texas
04/12 - 12/14	Clinical Coordinator	Alamo Heights Minor Emergency Clinic Alamo Heights, Texas
01/15 - Present	Unknown	

6. At the time of the initial incident, Respondent was employed as Clinical Coordinator with Alamo Heights Minor Emergency Clinic, Alamo Heights, Texas, and had been in that position for four (4) months.
7. On or about August 6, 2012, through November 19, 2014, while employed as a Licensed Vocational Nurse with Alamo Heights Minor Emergency Clinic, Alamo Heights, Texas, Respondent embezzled funds from the Alamo Heights Minor Emergency Clinic through the manipulation of accounting records for his own personal gain, in the amount of eleven thousand four hundred thirty-five dollars (\$11,435.00). Respondent's conduct was likely to defraud and deceive the facility of monies paid for medical services provided.
8. On or about May 3, 2014, while employed as a Licensed Vocational Nurse with Alamo Heights Minor Emergency Clinic, Alamo Heights, Texas, Respondent exceeded his scope of practice in that he gave medical advice and administered intravenous infusions of Saline and B12 Vitamin to Patient C.T. without valid physicians' orders. In addition, Respondent failed to create a medical record for the patient. Respondent's conduct exposed the patient unnecessarily to a risk of harm from interventions provided without the benefit of a physician's expertise.
9. On or about May 3, 2014, while employed as a Licensed Vocational Nurse with Alamo Heights Minor Emergency Clinic, Alamo Heights, Texas, Respondent misappropriated medications and supplies, including: B12 Vitamin, Saline, and intravenous (IV) infusion supplies, belonging to the facility. Subsequently, Respondent administered medications and intravenous infusions of normal saline to Patient C.T. before opening the facility, and received payment for the services without documenting the medical care provided. Respondent's conduct was likely to defraud and deceive the facility of the cost of the medications, supplies and monies paid for medical services provided.
10. On or about October 1, 2014, and October 25, 2014, while employed as a Licensed Vocational Nurse with Alamo Heights Minor Emergency Clinic, Alamo Heights, Texas, Respondent misappropriated Flu vaccines belonging to the facility, and administered the Flu vaccines to staff at the Eating Recovery Center, San Antonio, Texas. Subsequently, Respondent received a check in the amount of eight hundred twenty-five dollars (\$825.00) from Eating Recovery Center, Denver, Colorado, for the administration of Flu shots to staff.

Respondent's conduct was likely to defraud and deceive the facility of the cost of the Flu vaccines and monies paid for medical services provided.

11. On or about November 19, 2014, while employed as a Licensed Vocational Nurse with Alamo Heights Minor Emergency Clinic, Alamo Heights, Texas, Respondent misappropriated Tuberculosis (TB) tests belonging to the facility and administered the Tuberculosis (TB) tests to staff at Pediatric Therapy Associates, San Antonio, Texas. Subsequently, Respondent received a check in the amount of one hundred thirty-five dollars (\$135.00) from Pediatric Therapy Associates, San Antonio, Texas, for the administration of the Tuberculosis (TB) tests to staff. Respondent's conduct was likely to defraud and deceive the facility of the cost of the Tuberculosis (TB) tests and monies paid for medical services provided.
12. In response to Findings of Fact Number Seven (7) through Eleven (11), Respondent denies the allegations.
13. Formal Charges were filed on June 30, 2015.
14. Formal Charges were mailed to Respondent on July 1, 2015.
15. Respondent, by his signature to this Order, expresses his desire to voluntarily surrender his license(s) to practice nursing in the State of Texas.

#### 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)(C),(1)(D),(1)(P)&(2) and 22 TEX. ADMIN. CODE §217.12(1)(A),(1)(B),(1)(C),(4),(6)(G),(6)(H),(10)(E)&(11)(B).
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 171914, heretofore issued to WILLIAM JOSEPH DROTOS PABON, including revocation of Respondent's license(s) to practice nursing in the State of Texas.
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.
6. Under Section 301.453(c), Texas Occupations Code, the Board has the authority to accept the voluntary surrender of a license.

7. Under Section 301.453(d), Texas Occupations Code, as amended, the Board may impose conditions for reinstatement of licensure.
8. Any subsequent reinstatement of this license will be controlled by Section 301.453(d), Texas Occupations Code, and 22 TEX. ADMIN. CODE §213.26-.29, and any amendments thereof in effect at the time of the reinstatement.

### **TERMS OF ORDER**

NOW, THEREFORE, IT IS AGREED and ORDERED that the **VOLUNTARY SURRENDER** of Vocational Nurse License Number 171914, heretofore issued to WILLIAM JOSEPH DROTOS PABON, to practice nursing in the State of Texas, is accepted by 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 "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 is 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.

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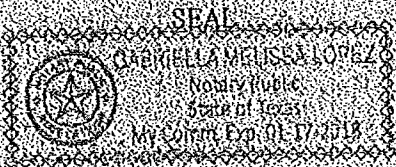
RESPONDENT'S CERTIFICATION

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 this Order becomes final when accepted by the Executive Director at which time the terms of this Order become effective and a copy will be mailed to me.

Signed this 14 day of March, 2016

William Joseph Drotos Pabon  
WILLIAM JOSEPH DROTOS PABON, Respondent

Sworn to and subscribed before me this 14 day of March, 2016



Gabriela Melissa Lopez  
Notary Public in and for the State of TEXAS


Approved as to form and substance.

Dennis  
Rodney Drotos, Attorney for Respondent

Signed this 15 day of March, 2016

WHEREFORE, PREMISES CONSIDERED, the Executive Director, on behalf of the Texas Board of Nursing, does hereby accept the voluntary surrender of Vocational Nurse License Number 171914, previously issued to WILLIAM JOSEPH DROTOS PABON.

Effective this 15<sup>th</sup> day of March, 2016.

A handwritten signature in cursive script, appearing to read "Katherine A. Thomas", written over a horizontal line.

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