



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 Advanced Practice Registered Nurse License Number AP120223 & Registered Nurse License Number 705297 issued to PEDRO ALBERTO MENDOZA      §      AGREED  
   §      ORDER  
   §

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of PEDRO ALBERTO MENDOZA, Advanced Practice Registered Nurse License Number AP120223 and Registered Nurse License Number 705297, 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)(2)&(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 24, 2016.

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 current status. Respondent's license to practice as an advanced practice registered nurse in the State of Texas is in current status.
4. Respondent received a Baccalaureate Degree in Professional Nursing from the University of Texas, El Paso, Texas, on August 1, 2003, and Respondent was licensed to practice professional nursing in the State of Texas on June 3, 2004. Respondent became Board recognized as a Clinical Nurse Specialist on April 22, 2011.

5. Respondent's nursing employment history is unknown.
6. On or about September 24, 2006, Respondent was arrested by the El Paso Police Department, El Paso, Texas, for ASSAULT CAUSES BODILY INJURY FAMILY MEMBER, a Class A misdemeanor offense. Respondent was subsequently charged under Case No. 20070C00120 for ASSLT CAUSES BODILY INJURY FAMILY VIOLENCE. On or about March 4, 2008, Respondent entered into an agreement in the El Paso County Court at Law No. 2, El Paso County, Texas, under Cause No. 20070C00120 to participate in the El Paso County Pre-Trial Diversion Program, beginning March 4, 2008. On or about December 16, 2008, Cause No. 20070C00120 was dismissed in the County Court No. 2, El Paso County, Texas, after Respondent successfully completed the Pre-Trial Diversion Program.
7. On or about November 19, 2007, Respondent submitted an Online Renewal Document to the Texas Board of Nursing in which he provided false, deceptive, and/or misleading information, in that he answered "No" to the question: "Have you, within the past 24 months or since your last renewal, for any criminal offense, including those pending appeal:
  - A. been convicted of a misdemeanor?
  - B. been convicted of a felony?
  - C. pled nolo contendere, no contest, or guilty?
  - D. received deferred adjudication?
  - E. been placed on community supervision or court-ordered probation, whether or not adjudicated guilty?
  - F. been sentenced to serve jail or prison time? court-ordered confinement?
  - G. been granted pre-trial diversion?
  - H. been arrested or have any pending criminal charges?
  - I. been cited or charged with any violation of the law?
  - J. been subject of a court-martial; Article 15 violation; or received any form of military judgment/punishment/action?"

Respondent failed to disclose that, on or about September 24, 2006, Respondent was arrested by the El Paso Police Department, El Paso, Texas, for ASSAULT CAUSES BODILY INJURY FAMILY MEMBER, a Class A misdemeanor offense. Respondent was subsequently charged under Case No. 20070C00120 for ASSLT CAUSES BODILY INJURY FAMILY VIOLENCE. The charge was pending at the time of renewal.

8. On or about November 23, 2009, Respondent submitted an Online Renewal Document to the Texas Board of Nursing in which he provided false, deceptive, and/or misleading information, in that he answered "No" to the question: "Have you, within the past 24 months or since your last renewal, for any criminal offense, including those pending appeal:
  - A. been convicted of a misdemeanor?
  - B. been convicted of a felony?
  - C. pled nolo contendere, no contest, or guilty?
  - D. received deferred adjudication?

- E. been placed on community supervision or court-ordered probation, whether or not adjudicated guilty?
- F. been sentenced to serve jail or prison time? court-ordered confinement?
- G. been granted pre-trial diversion?
- H. been arrested or have any pending criminal charges?
- I. been cited or charged with any violation of the law?
- J. been subject of a court-martial; Article 15 violation; or received any form of military judgment/punishment/action?"

Respondent failed to disclose that, on or about March 4, 2008, Respondent entered into an agreement in the El Paso County Court at Law No. 2, El Paso County, Texas, for the offense of ASSLT CAUSES BODILY INJURY FAMILY VIOLENCE, under Cause No. 20070C00120 to participate in the El Paso County Pre-Trial Diversion Program, beginning March 4, 2008. On or about December 16, 2008, Cause No. 20070C00120 was dismissed in the County Court No. 2, El Paso County, Texas, after Respondent successfully completed the Pre-Trial Diversion Program.

9. On or about April 12, 2011, Respondent submitted an Application for Licensure as an Advanced Practice Registered Nurse and Prescriptive Authority to the Texas Board of Nursing in which he provided false, deceptive, and/or misleading information, in that he answered "No" to the question: "For any criminal offense, including those pending appeal, have you:
- A. been convicted of a misdemeanor?
  - B. been convicted of a felony?
  - C. pled nolo contendere, no contest, or guilty?
  - D. received deferred adjudication?
  - E. been placed on community supervision or court-ordered probation, whether or not adjudicated guilty?
  - F. been sentenced to serve jail or prison time? court-ordered confinement?
  - G. been granted pre-trial diversion?
  - H. been arrested or have any pending criminal charges?
  - I. been cited or charged with any violation of the law?
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Respondent failed to disclose that, on or about March 4, 2008, Respondent entered into an agreement in the El Paso County Court at Law No. 2, El Paso County, Texas, under Cause No. 20070C00120 to participate in the El Paso County Pre-Trial Diversion Program, beginning March 4, 2008. On or about December 16, 2008, Cause No. 20070C00120 was dismissed in the County Court No. 2, El Paso County, Texas, after Respondent successfully completed the Pre-Trial Diversion Program.

10. Formal Charges were filed on February 16, 2016.
11. Formal Charges were mailed to Respondent on March 1, 2016.

### 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)(I)&(13).
4. The evidence received is sufficient cause pursuant to Section 301.452(b)(2)&(10), Texas Occupations Code, to take disciplinary action against Advanced Practice Registered Nurse License Number AP120223 and Registered Nurse License Number 705297, heretofore issued to PEDRO ALBERTO MENDOZA.
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 **WARNING 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 courses **within one (1) year of the effective date of this Order, unless otherwise specifically indicated:**

- A. **A 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 seven hundred fifty dollars (\$750.00) 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.

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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 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 8 day of August, 2016.

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PEDRO ALBERTO MENDOZA, Respondent

Sworn to and subscribed before me this 06 day of August, 2016.

SEAL



Notary Public in and for the State of Texas

Approved as to form and substance.

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Andre D'Souza, Attorney for Respondent

Signed this 26 day of AUGUST, 2016.

WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Agreed Order that was signed on the 8th day of August, 2016, by PEDRO ALBERTO MENDOZA, Advanced Practice Registered Nurse License Number AP120223 and Registered Nurse License Number 705297, and said Order is final.

Effective this 27th day of October, 2016.



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