

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of	§	REINSTATEMENT
Vocational Nurse License Number 111003	§	
issued to ROBIN TERESA SILVAS	§	AGREED ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the Petition for Reinstatement of Vocational Nurse License Number 111003, held by ROBIN TERESA SILVAS, hereinafter referred to as Petitioner.

On this day, the Executive Director, on behalf of the Texas Board of Nursing, hereinafter referred to as the Board, considered Petitioner's Request for Reinstatement filed in the above style matter. After review and consideration of the Petitioner's request, and pursuant to 22 Tex. Admin. Code §211.7(h), the Executive Director of the Board GRANTS Petitioner's Request for Reinstatement.

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 Petitioner and Petitioner was given an opportunity to show compliance with all requirements of the law for retention of the license(s).
2. Petitioner waived notice and hearing, and agreed to the entry of this Order.
3. Petitioner received a Certificate in Vocational Nursing from Emily Griffith Technical College, Denver, Colorado, on September 2, 1982. Petitioner was licensed to practice vocational nursing in the State of Texas on July 25, 1985.
4. Petitioner's nursing employment history includes:

5/83 - 8/84	LVN	Park Avenue Baptist Nursing Home Denver, Colorado
7/84 - 8/85	LVN	Eighth Avenue Care Center Denver, Colorado

Petitioner's nursing employment history continued:

9/85 - 12/85	LVN	Golden Acres Dallas, Texas
12/85 - 6/90	LVN	William D. Burnett, MD Dallas, Texas
10/90 - 9/95	LVN	Kaiser Permanente Dallas, Texas
9/95 - 8/97	LVN	Texas Medical and Surgical Clinic Dallas, Texas
9/97 - 6/08	LVN	White Rock Dermatology Dallas, Texas
7/08 - 9/12	Unknown	

5. On September 11, 2012, Respondent's license to practice vocational nursing was Revoked by the Texas Board of Nursing. A copy of the September 11, 2012, Order of the Board is attached and incorporated, by reference, as part of this Order.
6. On or about January 12, 2016, Petitioner submitted a Petition for Reinstatement of License to practice vocational nursing in the State of Texas.
7. Petitioner presented the following in support of said petition:
 - 7.1. Letter of Support from Sandra Abundis, Dallas, Texas, stating Petitioner is a very caring and honest person. Petitioner always acts professional and polite when handling all situations. Ms. Abundis states she has never seen Petitioner lose control, or be disrespectful to any person. Petitioner is a reliable and dependable person who will help anyone who needs her assistance. Ms. Abundis also states she knows the Petitioner to be kind hearted compassionate person to all the people and animals alike.
 - 7.2. Letter of Support from Chelsea Lovato, stating Petitioner is passionate about nursing and cares for others. Petitioner is reliable, professional, hardworking, honest, and caring. Ms. Lovato states Petitioner has a way with a person that helps them remain calm when Petitioner is around. Ms. Lovato whole-heartedly believes that Petitioner deserves to go forth and fulfill her dreams of being a nurse once again.

- 7.3. Letter of Support from Carol Norris, Dallas, Texas stating Petitioner had a very strong work ethic throughout her entire career at White Rock Dermatology. Ms. Norris states Petitioner displayed a high level of commitment, a willingness to accept responsibility, and the interpersonal skills necessary to handle conflict and challenging situations. Ms. Norris never questioned the Petitioner skill as a nurse and states she handled herself in a professional manner. Petitioner also had excellent communication skills and always had impeccable notes for all her patient charting. Petitioner thrived in the fast-paced environment and was an amazing multi-tasker. Petitioner was able to clearly and effectively explain instructions to patients and their families and calmly answer all their questions. Ms. Norris states Petitioner is one of the most reliable nurses she has ever had the privilege of working with. Ms. Norris has no reservations to recommend Petitioner for any position as a nurse at any healthcare facility. Ms. Norris is confident that they would be extremely pleased with Petitioner level of dedication to her profession and most importantly to the patients.
- 7.4. Documentation of the required continuing education contact hours.
8. The Executive Director considered evidence of Petitioner's past behavior in light of the character factors set out in 22 Tex. Admin. Code §213.27 and determined that Petitioner currently demonstrates the criteria required for good professional character and relicensure.
9. Relicensure of Petitioner poses no direct threat to the health and safety of patients or the public provided Petitioner complies with the stipulations outlined in this Order.
10. The Executive Director's review of Petitioner's eligibility for relicensure has been made on the basis of Petitioner's disclosures.

CONCLUSIONS OF LAW

1. Pursuant to Texas Occupations Code, Sections 301.451-301.555, the Board has jurisdiction over this matter.
2. Pursuant to Section 301.467, Texas Occupations Code, the Board may refuse to issue or renew a license, and may set a reasonable period that must lapse before reapplication. Pursuant to 22 TEX. ADMIN. CODE §213.26, the Board may impose reasonable conditions that a Petitioner must satisfy before reissuance of an unrestricted license.
3. The Board may license an individual with prior behaviors inconsistent with the Board's character requirements if, upon evaluation of the factors in 22 Tex. Admin. Code §213.27, and pursuant to 22 Tex. Admin. Code §213.33, the Board is satisfied that the individual is able to consistently conform her conduct to the requirements of the Nursing Practice Act, the Board's Rules and Regulations, and generally accepted standards of nursing practice.

4. This Order is conditioned upon the accuracy and completeness of Petitioner's disclosures. Any subsequently discovered discrepancies will result in investigation and possible disciplinary action, up to revocation of Petitioner's license(s).

TERMS OF ORDER

I. REINSTATEMENT OF LICENSURE

IT IS THEREFORE AGREED and ORDERED, subject to ratification by the Texas Board of Nursing, that the petition of ROBIN TERESA SILVAS for reinstatement of license to practice nursing in the state of Texas be **GRANTED** and Vocational Nurse License Number 111003 is hereby **REINSTATED** in accordance with the terms of this Order.

II. COMPLIANCE WITH LAW AND APPLICABILITY

While under the terms of this Order, PETITIONER agrees to obtain, read, and 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.

- A. PETITIONER SHALL pay all re-registration fees, if applicable, and PETITIONER'S licensure status in the State of Texas will be updated to reflect the applicable conditions outlined herein.
- B. This Order SHALL be applicable to PETITIONER's nurse licensure compact privileges, if any, to practice nursing in the State of Texas.
- C. PETITIONER 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 PETITIONER wishes to work.

III. REMEDIAL EDUCATION COURSE(S)

In addition to any continuing education requirements the Board may require for licensure renewal, Petitioner SHALL successfully complete the following remedial education course(s) within one (1) year of relicensure, unless otherwise specifically indicated:

- A. A Board-approved 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), Petitioner 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. Petitioner 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.*

IV. RESTORATION OF UNENCUMBERED LICENSE(S)

Upon full compliance with the terms of this Order, all encumbrances will be removed from PETITIONER'S license(s) to practice nursing in the State of Texas and PETITIONER may be eligible for nurse licensure compact privileges, if any.

PETITIONER'S CERTIFICATION

I understand that I have the right to legal counsel prior to signing this Reinstatement Agreed Order. I certify that my past behavior, except as disclosed in my Petition for Reinstatement of Licensure, has been in conformity with the Board's professional character rule. I have provided the Board with complete and accurate documentation of my past behavior in violation of the penal law of any jurisdiction which was disposed of through any procedure short of convictions, such as: conditional discharge, deferred adjudication or dismissal. I have no criminal prosecution pending in any jurisdiction.

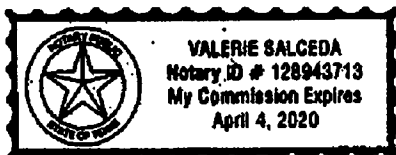
I have reviewed this Order. By my signature on this Order, I agree to the Findings of Fact, Conclusions of Law, Order, and any conditions of said Order. I waive judicial review of this Order. I understand that this Order is subject to ratification by the Board. When this Order is ratified, the terms of this Order become effective, and a copy will be mailed to me. I agree to inform the Board of any other fact or event that could constitute a ground for denial of licensure prior to reinstating my license(s) to practice nursing in the state of Texas. I understand that if I fail to comply with all terms and conditions of this Order, my license(s) to practice nursing in the State of Texas will be revoked, as a consequence of my noncompliance.

Signed this 14 day of Sept., 2016

Robin Teresa Silvas
ROBIN TERESA SILVAS, Petitioner

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

SEAL



[Signature]
Notary Public in and for the State of Texas

Approved as to form ^{and} substance.

Nancy Roper Willson
Nancy Roper Willson, Attorney for Petitioner

Signed this 16th day of September, 2016

WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Reinstatement Agreed Order that was signed on the 14th day of September, 20 16, by ROBIN TERESA SILVAS, Vocational Nurse License Number 111003, and said Order is final.

Effective this 27th day of October, 20 16.

A handwritten signature in cursive script, appearing to read "Katherine A. Thomas".

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

IN THE MATTER OF
PERMANENT VOCATIONAL NURSE
LICENSE NUMBER 111003
ISSUED TO
ROBIN TERESA SILVAS

§
§
§
§
§

BEFORE THE TEXAS
BOARD OF NURSING

ELIGIBILITY AND
DISCIPLINARY COMMITTEE



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
Stephanie C. Williams
Executive Director of the Board

ORDER OF THE BOARD

TO: Robin Teresa Silvas
1412 Moran Drive
Dallas, Texas 75218

During open meeting held in Austin, Texas, on Tuesday, September 11, 2012, 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 111003, previously issued to ROBIN TERESA SILVAS, 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 September, 2012.

TEXAS BOARD OF NURSING



BY:

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

Attachment: Formal Charge filed July 17, 2012

In the Matter of Permanent License	§	BEFORE THE TEXAS
Number 111003, Issued to	§	
ROBIN TERESA SILVAS, Respondent	§	BOARD OF NURSING

FORMAL CHARGES

This is a disciplinary proceeding under Section 301.452(b), Texas Occupations Code. Respondent, ROBIN TERESA SILVAS, is a Vocational Nurse holding license number 111003, which is in delinquent 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 December 1, 2007 through November 5, 2009, while still employed with White Rock Dermatology of Texas, Dallas, Texas, Respondent practiced as a Licensed Vocational Nurse without a valid license. Board records indicated that Respondent's license expired on November 31, 2007. Respondent's conduct deceived residents, their families, fellow care givers, and the public, in that they believed Respondent's practice was in compliance with all Board Rules and Regulations.

The above action constitutes grounds for disciplinary action in accordance with Section 301.251, Texas Occupations Code and Section 301.452(b)(1)&(10), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.12(6)(H)&(11)(B)

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. 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).

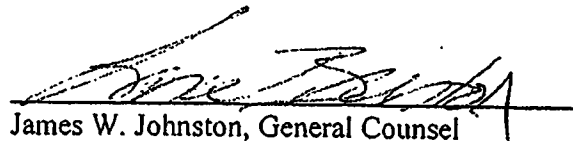
NOTICE IS GIVEN that all statutes and rules cited in these Charges are incorporated as part of this pleading and can be found at the Board's website, www.bon.texas.gov.

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 Lying and Falsification, 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 17th day of July, 2012.

TEXAS BOARD OF NURSING



James W. Johnston, General Counsel
Board Certified - Administrative Law
Texas Board of Legal Specialization
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State Bar No. 50511847

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State Bar No. 24052269

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TEXAS BOARD OF NURSING

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Austin, Texas 78701
P: (512) 305-6811
F: (512) 305-8101 or (512) 305-7401

D/2012.05.11

Re: Permanent Vocational Nurse License Number 111003
Issued to ROBIN TERESA SILVAS
DEFAULT ORDER - REVOKE

CERTIFICATE OF SERVICE

I hereby certify that on the 11th day of September, 2012., 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

Robin Teresa Silvas
1412 Moran Drive
Dallas, Texas 75218



BY:

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