



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.  
*William O. Morris*  
Executive Director of the Board

## BEFORE THE TEXAS BOARD OF NURSING

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|  |   |        |
|--|---|--------|
| In the Matter of                       | § | AGREED |
| Registered Nurse License Number 718114 | § |        |
| issued to CRYSTAL NICOLE RAMIREZ       | § | ORDER  |

An investigation by the Texas Board of Nursing, hereinafter referred to as the Board, produced evidence indicating that CRYSTAL NICOLE RAMIREZ, Registered Nurse License Number 718114, hereinafter referred to as Respondent, may be subject to discipline pursuant to Sections 301.452(b)(10)&(13) and 301.453, Texas Occupations Code.

An informal conference was conducted on September 15, 2016, in accordance with Section 301.464, Texas Occupations Code. Respondent appeared in person. Respondent was represented by Adam Pollock, Attorney at 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 professional nurse in the State of Texas is in current status.
4. Respondent received a Baccalaureate Degree in Nursing from The University of Texas Health Science Center, Houston, Texas, on May 5, 2005. Respondent was licensed to practice professional nursing in the State of Texas on June 30, 2005.
5. Respondent's nursing employment history includes:

|                |             |   |
|----------------|-------------|---|
| 6/2005-11/2013 | Staff Nurse | The Woman's Hospital of Texas<br>Houston, Texas |
|----------------|-------------|---|

Respondent's nursing employment history continued:

|                 |              |   |
|-----------------|--------------|---|
| 12/2013-11/2014 | Charge Nurse | The Woman's Hospital of Texas<br>Houston, Texas       |
| 11/2014-Present | Staff Nurse  | Texas Children's Pavilion for Women<br>Houston, Texas |

6. At the time of the incident, Respondent was employed as a Charge Nurse with The Woman's Hospital of Texas, Houston, Texas, and had been in that position for five (5) months.
7. On or about May 27, 2014, while employed as a Charge Nurse with The Woman's Hospital of Texas, Houston, Texas, Respondent failed to make appropriate patient care assignments to the Labor and Delivery nursing staff based on knowledge of the patients' acuity/medical history and the nurses' education and experience level, and assigned laboring Patient GM, who had a blood clotting disorder, to a new staff nurse. Additionally, Respondent failed to adequately supervise the nursing staff, including failing to check fetal heart monitor displays at the nurse's station, and failing to escalate the situation up the facility's chain of command when the physician of Patient GM did not order an emergency Cesarean section in response to the Category III fetal monitoring strips. Subsequently, the patient delivered an infant by Cesarean section, resulting in infant demise. Respondent's conduct exposed the laboring patients to a risk of harm from inadequate nursing care, and was likely to injure Patient GM and fetus from a delay in emergent treatment that was needed to prevent further complications, including infant demise.
8. In response to the incident in Finding of Fact Number Seven (7), Respondent states that her charge nurse duties for the busy unit made it difficult to observe the monitors at the nurse's station. Respondent states that her report from the day shift charge nurse led her to believe that the patient was a low acuity patient, there for an induction with an epidural, and delivery would be routine, so she assigned the patient to a new staff nurse. Respondent states that her involvement with this patient was limited to two phone conversations with the assigned nurse, and she does not recall stepping into the patient's room. Respondent states that when she became aware of the concerning fetal heart tones, she ensured that the staff nurse had contacted the physician, and Respondent discussed the plan of care with the physician, including arranging the operating room for the Cescaran section. Respondent states that she informed the physician that the order for surgery would need to be a STAT order, but the physician did not order it on a STAT basis, which delayed the surgery by waiting on the next available operating room. Respondent states that she wishes she had become involved in the patient's care earlier in the shift.

### 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)(S)&(1)(U) and 22 TEX. ADMIN. CODE §217.12(1)(A),(1)(B),(1)(D),(1)(F)&(4).
4. The evidence received is sufficient cause pursuant to Section 301.452(b)(10)&(13), Texas Occupations Code, to take disciplinary action against Registered Nurse License Number 718114, heretofore issued to CRYSTAL NICOLE RAMIREZ, 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.

### TERMS OF ORDER

#### **I. SANCTION AND APPLICABILITY**

IT IS THEREFORE AGREED and ORDERED, subject to ratification by the Texas Board of Nursing, that Registered Nurse License Number 718114, previously issued to CRYSTAL NICOLE RAMIREZ, to practice nursing in Texas is hereby **SUSPENDED** with the suspension **STAYED** and Respondent is hereby placed on **PROBATION**, in accordance with the terms of this Order, for a minimum of two (2) years **AND** until Respondent fulfills the requirements 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 course(s) within one (1) year of the effective date of this Order, 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.
- C. The course "Professional Accountability ....," a 5.4 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. EMPLOYMENT REQUIREMENTS**

In order to complete the terms of this Order, RESPONDENT must work as a nurse in the State of Texas, providing direct patient care in a clinical healthcare setting, for a minimum of sixty-four (64) hours per month for eight (8) quarterly periods [two (2) years] of employment. This requirement will not be satisfied until eight (8) quarterly periods of employment as a nurse have elapsed. Any quarterly period without continuous employment with the same employer for all three (3) months will not count towards completion of this requirement. 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 period and will not count towards completion of this requirement.

- A. **Notifying Present and Future Employers:** RESPONDENT SHALL notify each present employer in nursing and present each with a complete copy of this Order, including all attachments, if any, within five (5) days of receipt of this Order. While under the terms of this Order, RESPONDENT SHALL notify all future employers in nursing and present each with a complete copy of this Order, including all attachments, if any, prior to accepting an offer of employment.
- B. **Notification of Employment Forms:** RESPONDENT SHALL CAUSE each present employer in nursing to submit the Board's "Notification of Employment" form to the Board's office within ten (10) days of receipt of this Order. RESPONDENT SHALL CAUSE each future employer to submit the Board's "Notification of Employment form" to the Board's office within five (5) days of employment as a nurse.
- C. **Direct Supervision:** For the first year [four (4) quarters] of employment as a Nurse under this Order, RESPONDENT SHALL be directly 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. Direct supervision requires another nurse, as applicable, to be working on the same unit as RESPONDENT and immediately available to

provide assistance and intervention. RESPONDENT SHALL work only on 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.

**D. Indirect Supervision:** For the remainder of the stipulation/probation period, 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.

**E. Nursing Performance Evaluations:** 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 and these reports shall be submitted by the supervising nurse to the office of the Board at the end of each three (3) month quarterly period for eight (8) quarters [two (2) years] of employment as a nurse.

#### **V. FURTHER COMPLAINTS**

If, during the period of probation, an additional allegation, accusation, or petition is reported or filed against the Respondent's license(s), the probationary period shall not expire and shall automatically be extended until the allegation, accusation, or petition has been acted upon by the Board.

#### **VI. 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.

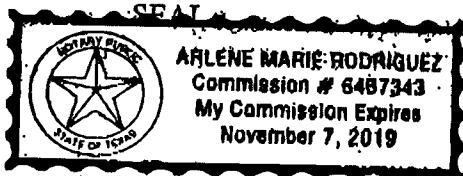
RESPONDENT'S CERTIFICATION

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 3rd day of November, 20 16.

Crystal Nicole Ramirez  
CRYSTAL NICOLE RAMIREZ, Respondent

Sworn to and subscribed before me this 3rd day of November, 20 16.



Arlene Marie Rodriguez  
Notary Public in and for the State of Texas

Approved as to form and substance.

Adam Pollock  
Adam Pollock, Attorney for Respondent

Signed this 4th day of November, 20 16.

WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Agreed Order that was signed on the 3rd day of November, 2016, by CRYSTAL NICOLE RAMIREZ, Registered Nurse License Number 718114, and said Order is final.

Effective this 13th day of December, 2016.

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

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