



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

In the Matter of	§	AGREED ORDER
Registered Nurse License Number 563864	§	
& Vocational Nurse License Number 118903	§	
issued to MELISSA MARIE PEREZ	§	FOR KSTAR PILOT PROGRAM

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of MELISSA MARIE PEREZ, Registered Nurse License Number 563864 and Vocational Nurse License Number 118903, 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)(10)&(13), 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 December 16, 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 vocational nurse in the State of Texas is in delinquent status. Respondent's license to practice as a professional nurse in the State of Texas is in current status.
4. Respondent received a Certificate in Vocational Nursing from Del Mar College, Corpus Christi, Texas on August 19, 1987, and received an Associate Degree in Nursing from Del Mar College, Corpus Christi, Texas on May 25, 1990. Respondent was licensed to practice vocational nursing in the State of Texas on December 2, 1987, and was licensed to practice professional nursing in the State of Texas on August 31, 1990.

5. Respondent's nursing employment history includes:

1987 - 1996	Licensed Vocational Nurse	Christus Spohn Hospital Corpus Christi, Texas
1996 - 1997	Licensed Vocational Nurse	Golden Home Health Corpus Christi, Texas
1997 - 1998	Licensed Vocational Nurse	LP Advantage Home Health Corpus Christi, Texas
1998 - 1999	Licensed Vocational Nurse	Paramount Home Health Corpus Christi, Texas
1999	Licensed Vocational Nurse	Uresti Senior Assistance Corpus Christi, Texas Jomar Home Health Corpus Christi, Texas Save Home Health Corpus Christi, Texas
2000 - 2001	Licensed Vocational Nurse	Legacy Home Health Corpus Christi, Texas Bayberry Home Health Corpus Christi, Texas Bee First Primary Home Care Robstown, Texas
2001 - 2005	Registered Nurse	MSN-Medical Staffing Agency Corpus Christi, Texas
2003	Registered Nurse	Northwest Regional Hospital Corpus Christi, Texas
2003 - 2004	Registered Nurse	Bay Area Medical Center Corpus Christi, Texas
12/2004 - 2/2005	Registered Nurse	Kindred Hospital of Corpus Christi Corpus Christi, Texas
2004 - 2006	Registered Nurse	Doctors Regional Medical Center Corpus Christi, Texas
1/2006 - 7/2010	Registered Nurse	St. Peters Home Health San Diego, Texas ASAP Nursing Agency Laredo, Texas

Respondent's nursing employment history continued:

1/2006 - 7/2010	Registered Nurse	Christus Spohn Hospital South Corpus Christi, Texas Deaconess Home Care Corpus Christi, Texas
7/2010 - 8/2012	Registered Nurse	ASAP Nursing Agency Laredo, Texas
9/2012 - 12/2012	Registered Nurse	Waterford Rehabilitation Hospital Corpus Christi, Texas
1/2013 - Present	Registered Nurse	Care Regional Medical Center Aransas Pass, Texas
1/2014 - 2/2015	Registered Nurse	American Medical Home Health Corpus Christi, Texas
2/2015 - 7/2015	Registered Nurse	Trio Home Health Care Corpus Christi, Texas Nursing Services and Consultants of Laredo Laredo, Texas
7/2015 - 2/2016	Registered Nurse	Santa Fe Home Health Care Corpus Christi, Texas
2/2016 - 4/2016	Registered Nurse	Angelbright Home Health Care Corpus Christi, Texas
5/2016 - Present	Registered Nurse	Care Regional Medical Center Aransas Pass, Texas Nursing Services and Consultants of Laredo Laredo, Texas

6. At the time of the incident, Respondent was employed as a Registered Nurse with Nursing Services and Consultants of Laredo, Laredo, Texas, and had been in that position for one (1) month.
7. On or about May 7, 2015, while employed as a Registered Nurse with Nursing Services and Consultants, Laredo, Texas, Respondent failed to also notify the physician that she was not able to measure the wounds of Patient VR due to the patient being combative when she informed the physician by facsimile that the patient's pulse was elevated to 109 and the patient's temperature had become elevated to 99.5. Upon admission for services two (2)

months earlier, the patient was found to likely remain in fragile health and having ongoing high risk(s) of serious complications and death. Respondent's conduct was likely to injure the patient from undetected medical complications.

8. In response to the incident in Finding of Fact Number Seven (7), Respondent states the patient was assessed, and teaching was done with the primary care giver as well. Respondent states she was unable to perform wound measurements as the patient was combative with care. Respondent states she did not report being unable to measure the wound.

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)(D),(1)(P)&(3)(A) and 217.12(1)(A),(1)(B)&(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 563864 and Vocational Nurse License Number 118903, heretofore issued to MELISSA MARIE PEREZ.
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 STIPULATIONS** 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. KNOWLEDGE, SKILLS, TRAINING, ASSESSMENT AND RESEARCH (KSTAR) PILOT PROGRAM

IT IS AGREED and ORDERED that RESPONDENT SHALL, within one (1) year of entry of this Order, successfully complete the Knowledge, Skills, Training, Assessment and Research (KSTAR) Pilot Program and RESPONDENT SHALL:

- (A) Within forty-five (45) days of entry of this Order, apply to and enroll in the KSTAR Pilot Program, including payment of any fees and costs, unless otherwise agreed in writing;
- (B) Submit to an individualized assessment designed to evaluate RESPONDENT'S nursing practice competency and to support a targeted remediation plan;
- (C) Follow all requirements within the remediation plan, if any;
- (D) Successfully complete a Board-approved course in Texas nursing jurisprudence and ethics as part of the KSTAR Pilot Program; and
- (E) Provide written documentation of successful completion of the KSTAR Pilot Program to the attention of Monitoring at the Board's office.

IV. FURTHER COMPETENCY ISSUES AND VIOLATIONS

IT IS FURTHER AGREED, SHOULD RESPONDENT'S individualized KSTAR Pilot Program assessment identify further competency issues and violations of the Nursing Practice

Act, including inability to practice nursing safely, further disciplinary action, up to and including revocation of Respondent's license(s) to practice nursing in the State of Texas, may be taken based on such results in the assessments.

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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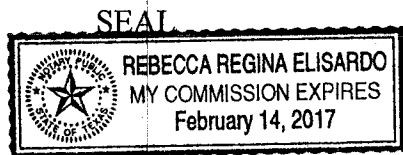
RESPONDENT'S CERTIFICATION

I understand that I have the right to legal counsel prior to signing this Agreed Order.

I waive representation by counsel. 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 27th day of January, 2017.
Melissa Marie Perez
MELISSA MARIE PEREZ, Respondent

Sworn to and subscribed before me this 27th day of January, 2017.



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

WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Agreed Order that was signed on the 27th day of January, 2017, by MELISSA MARIE PEREZ, Registered Nurse License Number 563864 and Vocational Nurse License Number 118903, and said Order is final.

Effective this 21st day of March, 2017.

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