



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.
Patricia A. Thomas
Executive Director of the Board

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of § AGREED
Registered Nurse License Number 784376 §
issued to CIELO ARRIESGADO MOON § ORDER

An investigation by the Texas Board of Nursing, hereinafter referred to as the Board, produced evidence indicating that CIELO ARRIESGADO MOON, Registered Nurse License Number 784376, 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 May 26, 2015, in accordance with Section 301.464, Texas Occupations Code. Respondent appeared in person. Respondent was represented by Elizabeth Higginbotham, 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 Visayas, Cebu, Philippines, on April 8, 2008. Respondent was licensed to practice professional nursing in the State of California on April 1, 2010, and in the State of Texas on May 18, 2010.
5. Respondent's nursing employment history includes:

4/2008 - 6/2010	Unknown	
6/2010 - 3/2013	Registered Nurse	Methodist Hospital San Antonio, Texas

Respondent's nursing employment history continued:

3/2013 - 5/2013	Unknown	
6/2013 - 4/2014	Registered Nurse	Baptist Medical Center San Antonio, Texas
4/2014 - 6/2014		Unknown
7/2014 - 9/2014	Registered Nurse	Maxim Staffing Solutions Assigned to: Sierra Medical Center El Paso, Texas
9/2014 - Present	Float Pool Nurse	Sierra Providence Health Network El Paso, Texas

6. At the time of the initial incident, Respondent was employed as a Registered Nurse with Baptist Medical Center, San Antonio, Texas, and had been in that position for seven (7) months.
7. On or about January 6, 2014, while employed as a Registered Nurse for Baptist Medical Center, San Antonio, Texas, the evidence suggests that Respondent failed to assess and properly intervene for Patient Number 0003942474 who was agitated and combative, when Respondent did not place the patient on telemetry monitoring, as ordered by a physician, did not assess vital signs, and administered 1 mg Ativan for agitation. The patient arrested and was transferred to the Intensive Care Unit (ICU). Cardiopulmonary Resuscitation was performed briefly and the patient's pulse was recovered. Respondent's conduct may have contributed to the patient suffering cardiopulmonary arrest.
8. On or about February 15, 2014, while employed as a Registered Nurse for Baptist Medical Center, San Antonio, Texas, the evidence suggests that Respondent falsely documented the skin condition of Patient Number 0004064981 in the medical record, indicating the patient had no skin breakdown when the patient had numerous pressure ulcers and skin excoriation. Respondent's conduct resulted in an inaccurate medical record and was likely to injure the patient in that subsequent care givers would not have correct information on which to base their care decisions.
9. In response to the incidents in Findings of Fact Numbers Seven (7) through Eight (8), Respondent states Patient 0003942474 was out of control and violent. Respondent states the patient was swearing, yelling, and kicking and Respondent could not place the patient on telemetry. Respondent states at 1:30 am on January 6, 2014, the patient was under the covers and her intravenous (IV) line was exposed. Respondent states she quietly entered the patient's room, administered Ativan, then when the patient became agitated again, she left the room. Respondent states a short while later, a pulse could not be found on the patient and a Code Blue was called. With regards to the incidents involving Patient Number 0004064981,

Respondent states the patient was large and difficult to move. Respondent states the patient's skin was edematous and fragile. Respondent states she received assistance from another staff member to clean the patient. Respondent states it was difficult to see any skin breakdown and she could not see any ulcers because the patient was wearing waffle boots. Respondent states she documented the patient did not have any skin breakdown because she believed she accidentally clicked on the wrong button while performing computer charting.

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)&(3)(A) and 217.12(1)(A),(1)(B),(1)(C),(4)&(6)(A).
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 784376, heretofore issued to CIELO ARRIFSGADO MOON.
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. 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. **A Board-approved course in physical assessment** with a didactic portion of not less than six (6) hours and a clinical component of not less than twenty-four (24) hours. Both the didactic and clinical components must be provided by the same Registered Nurse. The course's content shall include physical assessment of all body systems. The clinical component SHALL include physical assessment of live patients in a clinical setting; Performing assessments on mock patients or mannequins WILL NOT be accepted. The course description shall indicate goals and objectives for the course, resources to be utilized, and the methods to be used to determine successful completion of the course. Successful completion of this course requires RESPONDENT to successfully complete both the didactic and clinical portions of the course.
- C. **A Board-approved course in nursing documentation** that shall be a minimum of six (6) hours in length. The course's content shall include: nursing standards related to accurate and complete documentation; legal

guidelines for recording; methods and processes of recording; methods of alternative record-keeping; and computerized documentation. Home study courses and video programs will not be approved.

- D. 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.*

IV. EMPLOYMENT REQUIREMENTS

In order to complete the terms of this Order, RESPONDENT must work as a nurse, providing direct patient care in a licensed healthcare setting, for a minimum of sixty-four (64) hours per month for four (4) quarterly periods [one (1) year] of employment. This requirement will not be satisfied until four (4) 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. Indirect Supervision: 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's current position as a Float Pool Nurse at The Hospitals of Providence Sierra Campus, El Paso, Texas, is acceptable for purposes of complying with this requirement as long as Respondent is assigned only to the Telemetry Department of that facility.** 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. 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 four (4) quarters [one (1) year] of employment as a nurse.

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.

BALANCE OF THIS PAGE INTENTIONALLY LEFT BLANK.

CONTINUED ON NEXT PAGE.

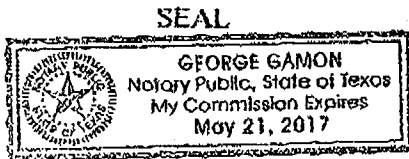
RESPONDENT'S CERTIFICATION

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 4 day of January, 2016.

Cielo Arriescado Moon
CIELO ARRIESGADO MOON, Respondent

Sworn to and subscribed before me this 4th day of January, 2016.



Notary Public in and for the State of Texas

Approved as to form and substance.

Elizabeth Higginbotham
Elizabeth Higginbotham, RN, JD, Attorney for Respondent

Signed this 5th day of January, 2016

WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Agreed Order that was signed on the 4th day of January, 2016, by CIELO ARRIEGADO MOON, Registered Nurse License Number 784376, and said Order is final.

Effective this 9th day of February, 2016.



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