



Respondent's vocational nursing employment history continued:

06/2012 - 06/2013	LVN	Lifecare Hospital San Antonio, Texas
07/2013 - 12/2013	LVN	Unknown Agency San Antonio, Texas
12/2013 - 03/2014	LVN	Tucson VA Tucson, Arizona
03/2014 - 06/2014	LVN	Arizona State Prison Unknown, Arizona
07/2014 - 01/2015	LVN	Sam Rayburn Hospital Bonham, Texas
02/2015 - 02/2015	Unknown	
03/2015 - 11/2015	LVN	Favorite Staffing Tucson, Arizona
12/2015 - Unknown	LVN	Hopewell Staffing Houston, Texas
Unknown - Present	Agency Nurse	Cure Healthcare Staffing San Antonio, Texas

6. At the time of the initial incident, Respondent was employed as a Licensed Vocational Nurse with Sam Rayburn Hospital, Bonham, Texas, and had been in that position for approximately three (3) months.
7. On or about October 10, 2014, while employed with Sam Rayburn Hospital, Bonham, Texas, Respondent physically abused a patient in that he forcibly pushed the patient onto his bed, causing him to hit the foot board of the bed. Respondent's conduct was likely to cause physical and emotional injury to the patient.
8. On or about November 24, 2015, while employed with Favorite Healthcare Staffing, Overland, Kansas, and assigned at The Landing at Stone Oak, San Antonio, Texas, Respondent physically abused a patient in that he grabbed the patient's arms with force after she grabbed medication off the medicine cart. Additionally, the patient then yelled at Respondent for grabbing her and Respondent slapped her in the face to make her be quiet. Respondent's conduct was likely to cause physical and emotional injury to the patient.
9. On or about January 2016, while employed with Hopewell Staffing, Schaumburg, Illinois, and assigned to provide nursing care at Town and Country Manor, Boerne, Texas,

Respondent was verbally abusive to Resident G.T. in that he told her, "I don't give a shit" and "shut up." Respondent's conduct was likely to emotional injury to the patient.

10. On or about January 25, 2016, while employed with Hopewell Staffing, Schaumburg, Illinois, and assigned to provide nursing care at Town and Country Manor, Boerne, Texas, Respondent was verbally abusive to Resident T.N., in that he told her, "Well, then quit yelling and shut up!" when she didn't want him to check her blood sugar levels. Additionally, when the resident told Respondent to shut up, he told her, "No, you shut up, and if you don't, you're going to get a shot and go straight to bed. Now quit your nonsense." Respondent's conduct was likely to emotional injury to the patient.
11. In response to Finding of Fact Number Seven (7), Respondent states the patient's bed was being made and while he was waiting, he made a sudden jerky movement trying to get away and in the process lost his balance and was about to have a bad fall from that force. At this point Respondent was afraid the patient would fall and hurt his head, so he quickly used his reflexes and broke the fall, directing the landing of the patient onto his bed. He states after the patient settled into bed, he assessed the patient for pain and checked for any injury. He found none and the patient voiced no pain. In response to Finding of Fact Eight (8), Respondent denies grabbing and slapping the patient. He states she was yelling about being accused of taking medicine off the cart. Respondent also denies Findings of Fact Nine (9) and Ten (10) and states the patient was schizophrenic and her behavior was difficult to control. He did tell her she might have to get a shot, but his words are being twisted and misconstrued.

#### 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) and 22 TEX. ADMIN. CODE §217.12(1)(B),(4)&(6)(C).
4. The evidence received is sufficient cause pursuant to Section 301.452(b)(10)&(13), Texas Occupations Code, to take disciplinary action against Vocational Nurse License Number 232105, heretofore issued to PETER BALRAJ, 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 Vocational Nurse License Number 232105, previously issued to PETER BALRAJ, 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.

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 with the exception of Respondent's current employment as an Agency Nurse with single practice site assignments of at least three (3) months / thirteen (13) weeks in duration through Nursefinders, San Antonio, Texas. Should Respondent's current employment as an Agency Nurse with single practice site assignments of at least three (3) months / thirteen (13) weeks in duration through Nursefinders, San Antonio, Texas, cease or change, this Stipulation will have full force and effect. 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 with the exception of Respondent's current employment as an Agency Nurse with single practice site assignments of at least three (3) months / thirteen (13) weeks in duration through Nursefinders, San Antonio, Texas. Should Respondent's current employment as an Agency Nurse with single practice site assignments of at least three (3) months / thirteen (13) weeks in duration through Nursefinders, San Antonio, Texas, cease or change, this Stipulation will have full force and effect. 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'S practice 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.

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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.

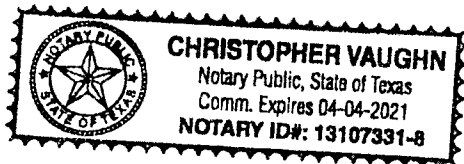
Signed this 17<sup>th</sup> day of October, 2017.

*Peter Balraj*  
PETER BALRAJ, Respondent

Sworn to and subscribed before me this 17 day of October, 2017.

SEAL

*Christopher Vaughn*  
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 17th day of October, 2017, by PETER BALRAJ, Vocational Nurse License Number 232105, and said Order is final.

Effective this 14th day of November, 2017.



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