



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  
Vocational Nurse License Number 155202 § FOR  
issued to NORMA T. ORTIZ § KSTAR PILOT PROGRAM

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of NORMA T. ORTIZ, Vocational Nurse License Number 155202, 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 February 21, 2018.

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 current status.
4. Respondent received a certificate in Vocational Nursing from Texas Southmost College, McAllen, Texas, on August 10, 1995. Respondent was licensed to practice vocational nursing in the State of Texas on October 18, 1995.
5. Respondent's nursing employment history includes:
 

10/1995 - 12/1995	Staff Nurse	Mission Hospital
		Mission, Texas

Respondent's nursing employment history continued:

12/1995 - 1999	Staff Nurse	Las Palmas Health Care Center McAllen, Texas
1999 - 2002	Staff Nurse	Retama Nursing and Rehabilitation Center McAllen, Texas
2002 - 2004	Staff Nurse	Edinburg Regional Medical Center Edinburg, Texas
2004 - 2007	Staff Nurse	Edinburg Nursing and Rehabilitation Center Edinburg, Texas
2007 - 2012	Staff Nurse	San Juan Nursing Home San Juan, Texas
2012 - 2015	Staff Nurse	Ocean View Nursing and Rehabilitation Center Texas City, Texas
2015 - 2016	Staff Nurse	San Juan Nursing Home San Juan, Texas
2016 - 2017	Staff Nurse	Baytown Nursing and Rehabilitation Center Baytown, Texas
9/2016 - 3/2017	Charge Nurse	Courtyard Residence and Rehabilitation Houston, Texas
4/2017 - Present	Unknown	

6. At the time of the initial incident, Respondent was employed as a Charge Nurse with Courtyard Residence and Rehabilitation, Houston, Texas, and had been in that position for six (6) months.
7. On or about March 18, 2017, while employed as a Staff LVN with Courtyard Residence and Rehabilitation, Houston, Texas, Respondent failed to fully assess Resident RH, who had a change of condition and was not responding appropriately, with constricted pupils and poor hand coordination and grip. In addition, Respondent failed to adequately intervene to advocate to send the aforementioned resident to the Emergency Room (ER) for evaluation and treatment. The resident was sent to the ER at 6:20 pm after a family member insisted, and was diagnosed with hypertensive urgency, volume overload, and acute kidney injury resolved. Respondent's conduct was likely to injure the resident based upon incomplete assessment information, from unrecognized clinical changes, and deprived the resident of timely interventions.

8. In response to the incident in Finding of Fact Number Seven (7), Respondent states that she got report from the off-going nurse, checked her residents and found no issues to address, checked this resident's blood sugar after his breathing treatment, and then went into the dining room. Respondent indicates that about 7:15 am the Registered Nurse (RN) told her that a Certified Nursing Assistance (CNA) had told her that the resident was "not himself;" she assessed him finding his vital signs normal, but he had "watery/dazed" eyes, and denied pain. Respondent relates that the RN told her to call the physician regarding the resident's condition, and the Physician Assistant (PA) gave orders for Stat labs. Respondent relates that the lab results came, and she notified the PA who said to monitor the resident and call with any changes. Respondent explained that she was working a double shift and the RN told her that she would move to the front hall in the afternoon, and the oncoming nurse would take over her assignment. Respondent adds that about 1 pm she and the RN checked on the resident who was asleep with no distress noted, and she gave report to the oncoming nurse. Respondent states that around 5:30 pm the resident's daughter demanded that the resident be sent to the ER, the PA gave the order per the family request, and the resident was sent to the ER.

#### 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)&(2)(A) and 22 TEX. ADMIN. CODE §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 Vocational Nurse License Number 155202, heretofore issued to NORMA T. ORTIZ.
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. As a result of this Order, Respondent's license(s) will be designated "single state" and Respondent may not work outside the State of Texas in another nurse licensure compact party state.

## **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.

**IV. 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, subject to meeting all existing eligibility requirements in Texas Occupations Code Chapter 304, Article III, 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 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 14 day of April, 2018.

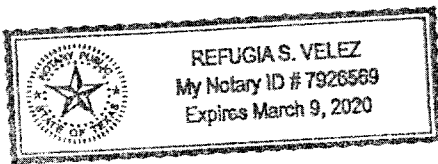
Norma Ortiz  
NORMA T. ORTIZ, Respondent

Sworn to and subscribed before me this 14<sup>th</sup> day of April, 2018.

SEAL


Refugia S. Velez

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 14<sup>th</sup> day of April, 2018, by NORMA T. ORTIZ, Vocational Nurse License Number 155202, and said Order is final.

Effective this 12<sup>th</sup> day of June, 2018.



---

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