



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 ORDER
Registered Nurse License Number 755035 § FOR
issued to RICARDO ADRIAN RODRIGUEZ § KSTAR PILOT PROGRAM

An investigation by the Texas Board of Nursing, hereinafter referred to as the Board, produced evidence indicating that RICARDO ADRIAN RODRIGUEZ, Registered Nurse License Number 755035, 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 March 27, 2018, in accordance with Section 301.464, Texas Occupations Code. Respondent appeared in person. Respondent was represented by Taralynn Mackay, 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 Texas A&M University, Laredo, Texas, on May 8, 2008. Respondent was licensed to practice professional nursing in the State of Texas on June 10, 2008.
5. Respondent's nursing employment history includes:

6/2008-12/2010	Staff Nurse/Charge Nurse	Doctor's Hospital of Laredo Laredo, Texas
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Respondent's nursing employment history continued:

11/2010-8/2017	Registered Nurse	Laredo Specialty Hospital Laredo, Texas
11/2013-8/2015	Registered Nurse	Brightstar Care Laredo, Texas
8/2017-Present	Registered Nurse	Brightstar Care Laredo, Texas

6. At the time of the incident, Respondent was employed as Registered Nurse at Laredo Specialty Hospital, Laredo, Texas, and had been in that position for six (6) years and nine (9) months.
7. On or about August 5, 2017, while employed as a Registered Nurse at Laredo Specialty Hospital, Laredo, Texas, Respondent failed to notify the physician of Patient IC and the hospital social worker when the patient wanted to leave the hospital against medical advice, due to financial concerns at home, and removed the patient's right internal jugular (RIJ) central line without a physician's order. Additionally, Respondent failed to completely and accurately document in the patient's medical record regarding removing the line, including condition of the site, sutures removed, and position of the patient during removal. Subsequently, the patient began having difficulty breathing, and required transport to a higher level of care. Respondent's conduct resulted in an incomplete medical record, and deprived the resident's physician the opportunity to be informed of the patient's decision and issue medical directions.
8. In response to the incident in Finding of Fact Number Seven (7), Respondent states that the patient informed him at his initial rounds that morning at 0730 that he wished to leave against medical advice. Respondent states that over the course of almost 2 hours, he repeatedly talked to the patient explaining the risks of leaving against medical advice. Respondent states that he notified the charge nurse, but did not notify the physician. Respondent states that around 0930, the patient stated he wanted the internal jugular line removed, and Respondent told him that he could not remove it, so the patient gripped the catheter and pulled on it, stating that if Respondent did not remove it, he (patient) would. Respondent states that the patient was seated in the chair next to the bed at the time, and the catheter was now partially withdrawn. Respondent states that out of concern that the patient would continue to remove the line on his own, Respondent made the decision to remove the catheter. Respondent states that he reclined the chair and instructed the patient to hold his breath and bear down.

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)(M),(1)(P)&(3)(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 Registered Nurse License Number 755035, heretofore issued to RICARDO ADRIAN RODRIGUEZ.
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.

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, 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.

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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.

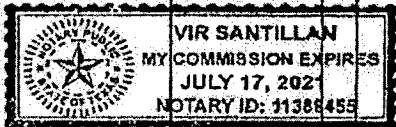
Signed this 5th day of May, 2018.

Ricardo Adrian Rodriguez
RICARDO ADRIAN RODRIGUEZ, Respondent

Sworn to and subscribed before me this 5 day of May, 2018

SEAL

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



Approved as to form and substance.

Taralynn R. Mackay
Taralynn Mackay, Attorney for Respondent

Signed this 8th day of May, 2018

WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Agreed Order that was signed on the 5th day of May, 2018, by RICARDO ADRIAN RODRIGUEZ, Registered Nurse License Number 755035, and said Order is final.

Effective this 12th day of June, 2018.

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