



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

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

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)(1)&(10), 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 April 6, 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 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

Respondent's nursing employment history continued:

1/2006 - 7/2010	Registered Nurse	St. Peters Home Health San Diego, Texas ASAP Nursing Agency Laredo, Texas
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. On or about March 21, 2017, Respondent was issued the sanction of Warning with Stipulations through an Agreed Order by the Board. A copy of the Agreed Order, including

the Findings of Fact, Conclusions of Law, and Order dated March 21, 2017, is attached and incorporated herein by reference as part of this Order.

7. On or about March 22, 2018, Respondent failed to successfully complete the Knowledge, Skills, Training, Assessment and Research (KSTAR) Pilot Program, as required by Section III of the Agreed Order issued to her on March 21, 2017.
8. The terms and requirements of this Agreed Order reflect the terms and requirements which would have been required in the March 21, 2017, Agreed Order had Respondent not participated in the KSTAR Pilot Program.

#### 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 §217.12(11)(B).
4. The evidence received is sufficient cause pursuant to Section 301.452(b)(1)&(10), 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. 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. SUPERCEDING ORDER**

IT IS FURTHER AGREED and ORDERED that the sanction and conditions of this Order SHALL supercede all previous stipulations required by any Order entered by the Texas Board of Nursing.

## **IV. UNDERSTANDING BOARD ORDERS**

Within thirty (30) days of entry of this Order, RESPONDENT must successfully complete the Board's online course, "Understanding Board Orders," which can be accessed on the Board's website from the "Discipline & Complaints" drop-down menu or directly at: <http://www.bon.texas.gov/UnderstandingBoardOrders/index.asp>. Upon successful completion, RESPONDENT must submit the course verification at the conclusion of the course, which automatically transmits the verification to the Board.

## **V. 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).*

## **VI. 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 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. 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. Incident Reporting:** RESPONDENT SHALL CAUSE each employer to immediately submit any and all incident, counseling, variance, unusual occurrence, and medication or other error reports involving RESPONDENT, as well as documentation of any internal investigations regarding action by RESPONDENT, to the attention of Monitoring at the Board's office.
- 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 individual who supervises the RESPONDENT and these reports shall be submitted by the supervising individual 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.

## **VII. 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.

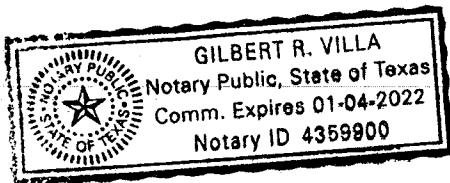
I waive representation by counsel. I have reviewed this Order. I neither admit nor deny the violation(s) alleged herein. By my signature on this Order, I agree to the entry of this Order, and any conditions of said Order, to avoid further disciplinary action in this matter. I waive judicial review of 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 30<sup>th</sup> day of May, 2018.

Melissa Marie Perez  
MELISSA MARIE PEREZ, Respondent

Sworn to and subscribed before me this 30 day of MAY, 2018.

SEAL

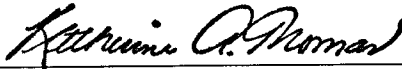


Gilbert Villa  
Notary Public in and for the State of TEXAS



WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Agreed Order that was signed on the 30th day of May, 2018, by MELISSA MARIE PEREZ, Registered Nurse License Number 563864 and Vocational Nurse License Number 118903, and said Order is final.

Effective this 19th day of July, 2018.

A handwritten signature in cursive script, appearing to read "Katherine A. Thomas", is written over a horizontal line.

Katherine A. Thomas, MN, RN, FAAN  
Executive Director on behalf  
of said 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
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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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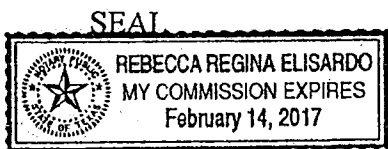
RESPONDENT'S CERTIFICATION

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 27<sup>th</sup> day of January, 2017.  
Melissa Marie Perez  
MELISSA MARIE PEREZ, Respondent

Sworn to and subscribed before me this 27<sup>th</sup> 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 27<sup>th</sup> 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.



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