



Executive Director of the Board

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of §
Vocational Nurse License Number 313347 §
issued to FELLICIA RENEE CASTILLO §

ORDER OF THE BOARD

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of FELLICIA RENEE CASTILLO, Vocational Nurse License Number 313347, hereinafter referred to as Respondent.

This action was taken in accordance with Section 301.453(c), Texas Occupations Code.

Respondent waived notice and hearing and agreed to the entry of this Order.

The Board makes the following Findings of Fact and Conclusions of Law.

FINDINGS OF FACT

1. Respondent's license to practice as a vocational nurse in the State of Texas is in current status.
2. Respondent waived notice and hearing, and agreed to the entry of this Order.
3. Respondent received a Certificate in Vocational Nursing from Brightwood College, Corpus Christi, Texas on January 24, 2013. Respondent was licensed to practice vocational nursing in the State of Texas on March 28, 2013.
4. Respondent's vocational nursing employment history includes:

04/2013 - 07/2015	Unknown
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08/2015 - 11/2016	LVN	Blanco Villa Nursing and Rehab San Antonio, Texas
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Respondent's vocational nursing employment history continued:

12/2016 - 12/2017	LVN	Retama Manor San Antonio, Texas
12/2017 - 01/2018	LVN	BlueCloud Pediatric Dental Surgery Houston, Texas
01/2018 - 04/2018	LVN	Windriver Houston, Texas
05/2018 - Present	Unknown	

5. On or about June 22, 2016, Respondent was issued the sanction of Remedial Education through an Agreed Order by the Board. A copy of the Finding of Fact, Conclusions of Law and Order dated June 22, 2016, is attached and incorporated herein by reference as part of this Order.
6. On or about July 20, 2018, the Board provided notice to Respondent that an investigation was being initiated into alleged violations of the Nursing Practice Act and/or the Board's Rules and Regulations Relating to Nurse Education, Licensure and Practice, as follows:
 - A. On or about April 2018, while employed with Windriver, Houston, Texas, Respondent lacked fitness to practice vocational nursing in that she was using controlled substances without a prescription and didn't want to submit to a drug screen because she wouldn't pass. Additionally, while participating in an evaluation for the Texas Peer Assistance Program for Nurses (TPAPN), Respondent submitted a specimen for a drug screen that resulted positive.
7. On August 27, 2018, the Board received a statement from Respondent voluntarily surrendering the right to practice nursing in Texas.
8. The Board policy implementing Rule 213.29 in effect on the date of this Agreed Order provides discretion by the Executive Director for consideration of conditional reinstatement after proof of twelve (12) consecutive months of abstinence from alcohol and drugs followed by licensure limitations/stipulations and/or peer assistance program participation.

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(1)(B),(1)(E),(4),(5)&(10)(A).
4. The evidence received is sufficient cause pursuant to Section 301.452(b)(9),(10)&(12), Texas Occupations Code, to take disciplinary action against Vocational Nurse License Number 313347, heretofore issued to FELLICIA RENEE CASTILLO, including revocation of Respondent's license(s) to practice nursing in the State of Texas.
5. Under Section 301.453(c), Texas Occupations Code, the Board has the authority to accept the voluntary surrender of a license.
6. Under Section 301.453(d), Texas Occupations Code, as amended, the Board may impose conditions for reinstatement of licensure.
7. Any subsequent reinstatement of this license will be controlled by Section 301.453(d), Texas Occupations Code, and 22 TEX. ADMIN. CODE §213.26-.29, and any amendments thereof in effect at the time of the reinstatement.

TERMS OF ORDER

NOW, THEREFORE, IT IS ORDERED that the **VOLUNTARY SURRENDER** of Vocational Nurse License Number 313347, heretofore issued to FELLICIA RENEE CASTILLO, to practice nursing in the State of Texas, is accepted by the Executive Director on behalf of the Texas Board of Nursing. In connection with this acceptance, the Board imposes the following conditions:

1. RESPONDENT SHALL NOT practice vocational nursing, use the title "vocational nurse" or the abbreviation "LVN" or wear any insignia identifying herself as a vocational nurse, or use any designation which, directly or indirectly, would lead any person to believe that RESPONDENT is a vocational nurse during the period in which the license is surrendered.
2. RESPONDENT SHALL NOT petition for reinstatement of licensure until:
 - A. At least one (1) year has elapsed from the date of this Order; and,
 - B. RESPONDENT has obtained objective, verifiable proof of twelve (12) consecutive months of sobriety immediately preceding the

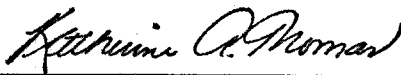
petition.

3. Upon petitioning for reinstatement, RESPONDENT SHALL satisfy all then existing requirements for relicensure.

IT IS FURTHER AGREED and ORDERED that this Order SHALL be applicable to Respondent's nurse licensure compact privileges, if any, to practice nursing in the State of Texas.

Effective this 27th day of August, 2018.

TEXAS BOARD OF NURSING

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



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
Vocational Nurse License Number 313347	§	
issued to FELLICIA RENEE CASTILLO	§	ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of FELLICIA RENEE CASTILLO, Vocational Nurse License Number 313347, 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 May 9, 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 current status.
4. Respondent received a Certificate in Vocational Nursing from Brightwood College, Corpus Christi, Texas, on January 24, 2013. Respondent was licensed to practice vocational nursing in the State of Texas on March 28, 2013.
5. Respondent's nursing employment history includes:

3/2013 - 6/2013 Unknown

Respondent's employment history continued:

7/2013-2/2014	LVN	Woodland Manor Nursing & Rehab Conroe, Texas
2/2014-5/2014	LVN	Star Home Health Houston, Texas
5/2014-6/2015	LVN Charge Nurse	Houston Nursing & Rehab Houston, Texas
7/2015-12/2015	Charge Nurse	Blanco Villa Nursing and Rehabilitation LP San Antonio, Texas
12/2015-Present	Assistant DON	Blanco Villa Nursing and Rehabilitation LP San Antonio, Texas

6. At the time of the incident, Respondent was employed as an Assistant Director of Nurses (ADON) with Blanco Villa Nursing and Rehabilitation LP, San Antonio, Texas, and had been in that position for two (2) months.
7. On or about February 11, 2016, while employed as the Assistant Director of Nurses (ADON) with Blanco Villa Nursing and Rehabilitation LP, San Antonio, Texas, Respondent disclosed confidential medication information concerning multiple patients to a pharmaceutical sales representative by providing the representative with information from a report printed from the facility's system. Respondent's conduct exposed the patient unnecessarily to a risk of harm from use, accessing or disclosure of their confidential medical information without their written authorization and constitutes a violation of HIPAA (The Health Insurance Portability and Accountability Act).
8. In response to Finding of Fact Number Seven (7), Respondent states she had a meeting with a drug representative from Neudexta about residents on the medication. Respondent asserts she did not intentionally give paperwork from the facility's system to the representative. She admits to having a meeting with the representative and printed a report from the matrix to use during the meeting.

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)(E) and 22 TEX. ADMIN. CODE §217.12(1)(A),(1)(B)&(1)(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 313347, heretofore issued to FELLICIA RENEE CASTILLO.
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 RESPONDENT SHALL receive the sanction of **REMEDIAL EDUCATION WITH A FINE** 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. 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.
- C. The course "Patient Privacy," a 5.4 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. MONETARY FINE

RESPONDENT SHALL pay a monetary fine in the amount of two hundred fifty dollars (\$250.00) within forty-five (45) days of entry of this Order. Payment is to be made directly to the Texas Board of Nursing in the form of cashier's check or U.S. money order. Partial payments will not be accepted.

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.

RESPONDENT'S CERTIFICATION

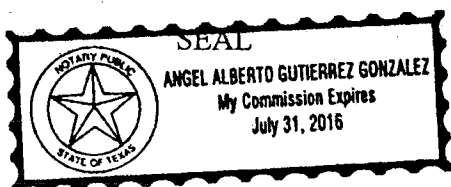
I understand that I have the right to legal counsel prior to signing this Agreed Order. I waive representation by counsel. I have reviewed this Order. I neither admit nor deny the violation(s) alleged herein. By my signature on this Order, I agree to the entry of this Order, and any conditions of said 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.

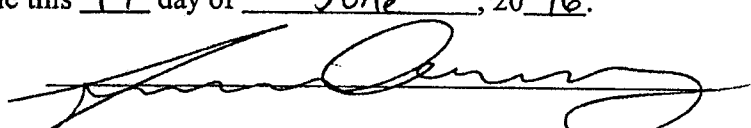
Signed this 17 day of June, 2016.



FELLICIA RENEE CASTILLO, Respondent

Sworn to and subscribed before me this 17 day of June, 2016.





Notary Public in and for the State of Texas

WHEREFORE, PREMISES CONSIDERED, the Executive Director, on behalf of the Texas Board of Nursing, does hereby ratify and adopt the Agreed Order that was signed on the 17th day of June, 2016, by FELLICIA RENEE CASTILLO, Vocational Nurse License Number 313347, and said Order is final.

Effective this 22nd day of June, 2016.

A handwritten signature in cursive script, appearing to read "Katherine A. Thomas", written in dark ink.

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