



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 ORDER  
Registered Nurse License Number 855507 § FOR  
issued to VICTORIA ANNE HERNANDEZ § KSTAR PROGRAM  
§

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of VICTORIA ANNE HERNANDEZ, Registered Nurse License Number 855507, 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 Agreed Order for KSTAR Program approved by Katherine A. Thomas, MN, RN, FAAN, Executive Director, on February 26, 2019.

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 Agreed Order for KSTAR Program.
3. Respondent's license to practice as a professional nurse in the State of Texas is in current status.
4. Respondent received an Associate Degree in Nursing from Hallmark University, San Antonio, Texas, on April 24, 2014. Respondent was licensed to practice professional nursing in the State of Texas on May 27, 2014.
5. Respondent's nursing employment history includes:
 

6/2014 – 3/2016	Registered Nurse	San Antonio Residence & Rehabilitation Center San Antonio, Texas
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Respondent's nursing employment history continued:

3/2016 – 12/2016 Registered Nurse Accountable Healthcare Staffing  
San Antonio, Texas

1/2017 – 1/2018 Registered Nurse Baptist Medical Center  
San Antonio, Texas

2/2018 – Present Unknown

6. At the time of the initial incident, Respondent was employed as a Registered Nurse with Baptist Medical Center, San Antonio, Texas, and had been in that position for eleven (11) months.
7. On or about December 14, 2017, while employed with Baptist Medical Center, San Antonio, Texas, Respondent failed to assess the blood pressure of Patient ID 1734600770 prior to the administration of Epogen when Patient ID 1734600770 was diagnosed with acute renal failure/end-stage renal disease and when the patient's blood pressure had been elevated earlier in the day. Respondent's conduct was likely to injure the patient by administering a medication that could potentially elevate the patient's blood pressure and from any resulting complications related thereto.
8. On or about January 10, 2018, while employed with Baptist Medical Center, San Antonio, Texas, Respondent failed to assess and intervene when informed by the Patient Care Associate that Patient ID 1800900338 had a temperature of 101 degrees Fahrenheit despite receiving acetaminophen approximately one (1) hour prior. Respondent's conduct was likely to injure the patient from potential complications related to untreated fever.
9. On or about January 11, 2018, while employed with Baptist Medical Center, San Antonio, Texas, Respondent left her nursing assignment without notifying the appropriate personnel. Respondent's conduct was likely to injure patients in that leaving the nursing assignment could have resulted in the patients not receiving the care that they required.
10. In response to the incidents in Findings of Fact Numbers Seven (7) and Eight (8), Respondent states that she treated her patients within the standard of care set forth by Board Rule 217.11, including timely assessing and intervening when needed by the patients in her care. In response to the incident in Finding of Fact Number Nine (9), Respondent states that she never left a nursing assignment without notifying the appropriate personnel.

#### 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)(C),(1)(I),(1)(M)&(3)(A) and 217.12(1)(A)&(12).
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 855507, heretofore issued to VICTORIA ANNE HERNANDEZ.
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 Nursing Education, Licensure and Practice, 22 TEX. ADMIN. CODE §§211.1 *et seq.*, and this Agreed Order for KSTAR Program.

**III. KNOWLEDGE, SKILLS, TRAINING, ASSESSMENT AND RESEARCH (KSTAR) PROGRAM**

IT IS AGREED and ORDERED that RESPONDENT SHALL, **within one (1) year of the effective date of this Order**, successfully complete the Knowledge, Skills, Training, Assessment and Research (KSTAR) Program and RESPONDENT SHALL:

- A. **Within forty-five (45) days** following the effective date of this Order, apply to and enroll in the KSTAR 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 Program; and
- E. Provide written documentation of successful completion of the KSTAR 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 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 Agreed Order for KSTAR Program, 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 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 this Order is subject to ratification by the Texas Board of Nursing and a copy of this Order will be mailed to me once the Order becomes effective. 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) and/or privileges to practice nursing in the State of Texas, as a consequence of my noncompliance.

Signed this 1 day of April, 2019.

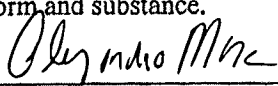
  
VICTORIA ANNE HERNANDEZ, Respondent

Sworn to and subscribed before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

SEAL

\_\_\_\_\_  
Notary Public in and for the State of \_\_\_\_\_

Approved as to form and substance.

  
Alejandro Mora, Attorney for Respondent

Signed this 1st day of April, 2019.

WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Agreed Order for KSTAR Program that was signed on the 1st day of April, 2019, by VICTORIA ANNE HERNANDEZ, Registered Nurse License Number 855507, and said Agreed Order for KSTAR Program is final.

Effective this 14th day of May, 2019.



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