

# BEFORE THE TEXAS BOARD OF NURSING

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In the Matter of	§	AGREED ORDER
Vocational Nurse License Number 326486	§	
issued to JASMINE ROSE MARTINES	§	
	§	

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of JASMINE ROSE MARTINES, Vocational Nurse License Number 326486, 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)(3), Texas Occupations Code.

Respondent waived notice and hearing and agreed to the entry of this Agreed Order approved by Katherine A. Thomas, MN, RN, FAAN, Executive Director, on May 9, 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.
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 Paris Junior College-Trad, Paris, Texas, on May 15, 2015. Respondent was licensed to practice vocational nursing in the State of Texas on June 23, 2015.
5. Respondent's nursing employment history is unknown.

6. On or about July 26, 2018, Respondent entered a plea of Guilty and was convicted of FIVE COUNTS OF DRIVING WHILE INTOXICATED W/ CHILD UNDER 15 YOA, a State Jail Felony offense committed on August 12, 2017, in the 6th District Court of Lamar County, Texas, under Cause No.27481. As a result of the conviction, Respondent was sentenced to confinement in the State Jail Division of the Texas Department of Criminal Justice, for a period of two (2) years; however, imposition of the sentence of confinement was suspended, and Respondent was placed on probation for a period of five (5) years, and ordered to pay a fine and court costs. Respondent was ordered to put an ignition interlock in her vehicle for one (1) year and complete outpatient alcohol counseling.
7. In response to Findings of Fact Number Six (6), Respondent was stressed out and depressed, feeling lost and alone after the father of her children threatened to kill her. The night in question she was over her friend's house with her kids. She knows that she drank too much that night but they planned on sleeping over at her friend's home. Later that night her Ex showed up. He refused to leave so she left with her kids. She was not thinking clearly. She got pulled over, she was rude and non-compliant with the police. She later apologized after waking up in a jail cell (a sobering experience.) She felt she ruined her whole life. She was convicted of a felony and is on five (5) years' probation. She does not drink and works as much as she can and focuses on her kids.

#### 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 cause pursuant to Section 301.452(b)(3), Texas Occupations Code, to take disciplinary action against Vocational Nurse License Number 326486, heretofore issued to JASMINE ROSE MARTINES.
4. 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 Vocational Nurse License Number 326486, previously issued to JASMINE ROSE MARTINES, to practice nursing in the State of Texas is/are hereby **SUSPENDED** and said suspension is **STAYED** and RESPONDENT is hereby placed on **PROBATION** for a minimum of three (3) years **AND** until RESPONDENT fulfills the additional requirements 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.

### **III. 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.

#### IV. **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 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).*

#### V. **PROBATION REPORTS**

RESPONDENT SHALL CAUSE his/her probation officer to submit written reports on forms provided to the RESPONDENT by the Board. The reports shall indicate the RESPONDENT'S compliance with the court ordered probation. The reports shall be furnished each and every three (3) month period until RESPONDENT is released from probation.

**VI. SUBSEQUENT CRIMINAL PROCEEDINGS**

IT IS FURTHER AGREED, should the RESPONDENT'S conduct, as outlined in the findings of fact of this Agreed Order, result in subsequent judicial action, including a deferred disposition, RESPONDENT may be subject to further disciplinary action, up to, and including, revocation of RESPONDENT'S license(s) to practice nursing in the State of Texas.

**VII. FURTHER COMPLAINTS**

If, during the period of probation, an additional allegation, accusation, or petition is reported or filed against RESPONDENT'S license(s), the probationary period shall not expire and shall automatically be extended until the allegation, accusation, or petition has been acted upon by the Board.

**VIII. RESTORATION OF UNENCUMBERED LICENSE(S)**

Upon full compliance with the terms of this Agreed 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 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 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 7 day of JUNE, 2019.

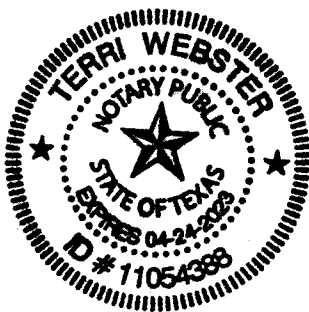
Jasmine Rose Martines  
JASMINE ROSE MARTINES, Respondent

Sworn to and subscribed before me this 7 day of June, 2019.

SEAL

Terri Webster

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 7th day of June, 2019, by JASMINE ROSE MARTINES, Vocational Nurse License Number 326486, and said Agreed Order is final.

Effective this 25th day of July, 2019.

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

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