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Katherine A. Thomas
Executive Director of the Board

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of § AGREED ORDER
Vocational Nurse License Number 64876 §
issued to ELENA B CANTU §
§

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of ELENA B CANTU, Vocational Nurse License Number 64876, 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 approved by Katherine A. Thomas, MN, RN, FAAN, Executive Director, on April 29, 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 Del Mar Tech Institute Vocational, Corpus Christi, Texas, on April 30, 1975. Respondent was licensed to practice vocational nursing in the State of Texas on October 23, 1975.
5. Respondent's vocational nursing employment history includes:

10/75 – 08/82	LVN	Christus Spohn Hospital Shoreline
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Respondent's vocational nursing employment history continued:

08/82 – 07/04	Charge LVN	Coastal Bend Renal Dialysis Corpus Christi, Texas
08/04 – 01/05	Unknown	
02/05 – 02/06	Home Health LVN	Homestyle Specialty Nursing Care, Inc. Corpus Christi, Texas
02/06 – 03/16	Home Health LVN	Deconess/PSA Corpus Christi, Texas
03/16 – 06/16	Home Health LVN	Epic Health Services Corpus Christi, Texas
06/16 – 12/16	Home Health LVN	Pedi Pro Corpus Christi, Texas
12/16 – 06/17	Home Health LVN	Ageless Living Corpus Christi, Texas
06/17 – 07/18	Home Health LVN	Oasis Home Health Corpus Christi, Texas
07/18 – 09/18	Home Health LVN	Restorative Home Health Corpus Christi, Texas
09/18 – 11/18	Home Health LVN	All About Kids Harlingen, Texas
12/18 – Present	Unknown	

6. At the time of the initial incident, Respondent was employed as a Licensed Vocational Nurse (LVN) with All About Kids, Harlingen, Texas, and had been in that position for one (1) month.

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7. On or about October 22, 2018, while employed as a Licensed Vocational Nurse (LVN) with All About Kids Home Health, Harlingen, Texas, Respondent improperly transferred Patient JQ from his stander to his bed by unbuckling the chest area before unbuckling the leg brace. As a result, Patient JQ slid down to the right and sustained a fracture to his right femur. Additionally, Respondent failed to report the incident to the patient's case manager and/or physician. Respondent's conduct contributed to the patient's injury, and deprived the physician and/or case manager of information needed to institute timely medical interventions.
8. In response to Finding of Fact Number Seven (7), Respondent admits she transferred the patient incorrectly, but states it was because she wasn't properly trained. Respondent further states she plans of retiring soon.

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) 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 Vocational Nurse License Number 64876, heretofore issued to ELENA B CANTU.
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 **REPRIMAND WITH STIPULATIONS** and RESPONDENT'S license(s) shall be placed in **INACTIVE** status.

Should RESPONDENT decide in the future to reactivate his/her license(s) to practice nursing in the State of Texas, RESPONDENT SHALL be required to petition the Board for reactivation of the license and satisfy all then existing requirements for reactivation. Further, RESPONDENT'S reactivated license(s) SHALL BE subject to, at a minimum, the remedial education courses, work restrictions, supervised practice, and employer reporting which would have been requirements of this Order had RESPONDENT not chosen to inactivate his/her nursing license(s).

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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. I further understand that, should I decide in the future to reactivate my license(s), I will be required to satisfy, at a minimum, the additional requirements that would have been part of this Order had the license(s) not been placed in inactive status, as stated herein, as well as all then existing requirements for reactivation.

Signed this May day of 25, 2019.

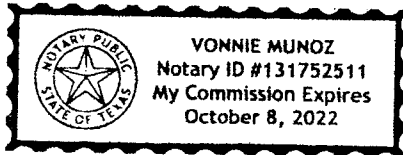
Elena B. Cantu
ELENA B CANTU, Respondent

Sworn to and subscribed before me this May day of 25, 2019.

SEAL

[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 25th day of May, 2019, by ELENA B CANTU, Vocational Nurse License Number 64876, and said Agreed Order is final.

Effective this 25th day of July, 2019.



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