BEFORE THE TEXAS BOARD OF NURSING

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In the Matter of	§	AGREED ORDER
Registered Nurse License Number 708666	§	FOR
& Vocational Nurse License Number 175351	§	KSTAR PROGRAM
issued to ANGELICA ELIZABETH PINON	§	
	§	

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of ANGELICA ELIZABETH PINON, Registered Nurse License Number 708666, and Vocational Nurse License Number 175351, 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 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 for KSTAR Program.

3. Respondent's license to practice as a vocational nurse in the State of Texas is in current 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 Lone Star College - Kingwood, Kingwood, Texas, on December 8, 1999. Respondent received an Associate Degree in Nursing from Lone Star College North Harris, Houston, Texas, on May 8, 2004. Respondent was licensed to practice vocational nursing in the State of Texas on February

18, 2000. Respondent was licensed to practice professional nursing in the State of Texas on August 3, 2004.

5. Respondent's nursing employment history includes:

2/2000 – 09/2001	Unknown	
10/2001 – 06/2004	Licensed Vocational Nurse	Kelsey Seybold Clinic Humble, Texas
07/2004 – 07/2005	Unknown	
08/2005 – 12/2008	Registered Nurse	Kelsey Seybold Clinic Kingwood, Texas
01/2009 – 10/2010	Unknown	
11/2010 – 10/2017	Registered Nurse	Kelsey Seybold Clinic Kingwood, Texas
11/2017 – 09/2018	Registered Nurse	Kelsey Seybold Clinic Pearland, Texas
10/2018 – Present	Unknown	

6. At the time of the initial incident, Respondent was employed as a Registered Nurse with Kelsey Seybold Clinic, Pearland, Texas, and had been in that position for ten (10) months.

7. On or about September 26, 2018, while employed as a Registered Nurse with Kelsey Seybold Clinic, Pearland, Texas, and on assignment at the Summer Creek location, Respondent received an emergent message, through the My Kelsey Online (MKO) system, from the parent of Patient Number 93662286, and failed to: verbally notify the physician immediately, and conduct a telephonic comprehensive assessment of the patient's suicide risk by gathering information about the patient's intent, plan, support system and past medical/psychiatric history, per policy. Respondent's conduct exposed the patient to risk of harm from clinical care decisions based upon incomplete assessment information.

8. On or about October 23, 2018, while employed as a Registered Nurse with Kelsey Seybold Clinic, Pearland, Texas, and on assignment at the Summer Creek location, Respondent received an emergent message, through the My Kelsey Online (MKO) system, from the parent of Patient Number 91101931, and failed to: verbally notify the physician immediately, and conduct a telephonic comprehensive assessment of the patient's suicide risk by gathering information about the patient's intent, plan, support system and past

medical/psychiatric history, per policy. Respondent's conduct exposed the patient to risk of harm from clinical care decisions based upon incomplete assessment information.

9. In response to the incidents in Findings of Fact Numbers Seven (7) and Eight (8), Respondent states that she followed the procedure by routing the messages for the physician to take action, that the patient was seen by that physician, and there were no untoward events that happened.

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)(M),(1)(P)&(3)(A) 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 Registered Nurse License Number 708666, and Vocational Nurse License Number 175351, heretofore issued to ANGELICA ELIZABETH PINON.

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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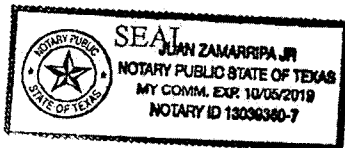
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RESPONDENT'S CERTIFICATION

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 **20** day of **June**, 20**19**.

Angelica E Pinon

ANGELICA ELIZABETH PINON, Respondent

Sworn to and subscribed before me this **20** day of **June**, 20**19**.

Juan Zamora Jr

Notary Public in and for the State of **Texas**

Approved as to form and substance.

_____   06/21/2019
Yong J. An, Attorney for Respondent

Signed this _____ day of _____, 20____.

WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Agreed Order for KSTAR Program that was signed on the 20th day of June, 2019, by ANGELICA ELIZABETH PINON, Registered Nurse License Number 708666, and Vocational Nurse License Number 175351, and said Agreed Order for KSTAR Program is final.

Effective this 13th day of August, 2019.

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