



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  
Vocational Nurse License Number 203930 § FOR  
issued to FALGUNI KETAN PATEL § KSTAR PROGRAM

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of FALGUNI KETAN PATEL, Vocational Nurse License Number 203930, 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)(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 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 for KSTAR Program.
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 Kellogg Community College, Battle Creek, Michigan, on May 10, 2005. Respondent was licensed to practice vocational nursing in the State of Texas on May 9, 2006.

5. Respondent's nursing employment history includes:

5/2006 – 5/2017	Unknown	
6/2017 – 11/2017	Licensed Vocational Nurse	Carlyle Nursing and Rehab Ft. Worth, Texas
11/2017 to 4/2018	Licensed Vocational Nurse	Lodge at Bear Creek Grapevine, Texas
5/2018 – 6/2018	Unknown	
7/2018 – 11/2018	Licensed Vocational Nurse	Rambling Oaks Courtyard Highland Village, Texas
11/2018 – Present	Licensed Vocational Nurse	Hollymead Flower Mound, Texas

6. At the time of the initial incident, Respondent was employed as a Licensed Vocational Nurse with Rambling Oaks Courtyard Extensive Care Community, Highland Village, Texas, and had been in that position for three (3) months.
7. On or about October 13, 2018, while employed as a Licensed Vocational Nurse with Rambling Oaks Courtyard Extensive Care Community, Highland Village, Texas, Respondent administered, in error, Tylenol #3 to Resident P.M. instead of Tramadol as ordered; furthermore, Respondent inaccurately documented in the resident's medical record the resident had received the Tramadol. Respondent's conduct created an inaccurate medical record and was likely to injure the patient from adverse reactions to medication administered without the benefit of a physician's expertise.
8. On or about October 22, 2018, while employed as a Licensed Vocational Nurse with Rambling Oaks Courtyard Extensive Care Community, Highland Village, Texas, Respondent failed to document in the medical record the administration of twenty (20) units of insulin to Resident D.M. as per physician orders. Respondent's conduct created an incomplete medical record and was likely to injure the resident from subsequent care decisions made without the benefit of accurate and reliable information.
9. On or about November 5, 2018, while employed as a Licensed Vocational Nurse with Rambling Oaks Courtyard Extensive Care Community, Highland Village, Texas, Respondent failed to appropriately assess the edematous left hand of Resident G.P. and inaccurately notified the physician the Resident had swelling to the right arm; subsequently, the physician ordered diagnostic studies of the wrong appendage. Respondent's conduct exposed the resident to possible risk of harm from delay of diagnosis and treatment.

10. In response to the incident in Finding of Fact Number Seven (7), Respondent states she was in a hurry and did not recheck the medication prior to administration. In response to the incident in Finding of Fact Number Eight (8), Respondent states she failed to initial the Medication Administration Record. Respondent also states she was not prepared for the changes and extra tasking placed on nurses in the long term care setting when she returned after an absence.

#### 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)(C)&(1)(D) and 22 TEX. ADMIN. CODE §217.12(1)(A),(1)(B), (1)(C)&(4).
4. The evidence received is sufficient cause pursuant to Section 301.452(b)(13), Texas Occupations Code, to take disciplinary action against Vocational Nurse License Number 203930, heretofore issued to FALGUNI KETAN PATEL.
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 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 19<sup>th</sup> day of Aug, 2019.

Falguni K Patel  
FALGUNI KETAN PATEL, Respondent

Sworn to and subscribed before me this 19<sup>th</sup> day of August, 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 for KSTAR Program that was signed on the 19<sup>th</sup> day of August, 2019, by FALGUNI KETAN PATEL, Vocational Nurse License Number 203930, and said Agreed Order for KSTAR Program is final.

Effective this 10<sup>th</sup> day of September, 2019.



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