



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 745808 §  
issued to LOUDETHZEL JHAE ALDABA §  
§

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of LOUDETHZEL JHAE ALDABA, Registered Nurse License Number 745808, 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 June 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.
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 Lone Star College North Harris, Houston, Texas, on June 27, 2007. Respondent was licensed to practice professional nursing in the State of Texas on August 9, 2007.
5. Respondent's nursing employment history includes:

6/2008 – 3/2011	Clinical RN	Houston Northwest Medical Center - Houston, Texas
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Respondent's nursing employment history continued:

5/2011 – 12/2016	Clinical RN, ICU	St. Luke's Hospital at the Vintage - Houston, Texas
5/2016 - Present	Registered Nurse	Northpoint Healthcare Services Inc. - Tomball, Texas
6/2018 - Present	Director of Nursing	Wellness Healthcare, Inc. Spring, Texas

6. On or about February 4, 2019, Respondent entered a plea of Guilty to FSRA ACC INVOLVING DEATH, a 2<sup>nd</sup> Degree Felony offense of the Texas Transportation Code – Transp §550.021. Accident Involving Personal Injury or Death committed on December 26, 2015, in the 179<sup>th</sup> District Court of Harris County, Texas, under Cause No. 150481101010. As a result of the plea the proceedings against Respondent were deferred without entering an adjudication of Guilt and Respondent was placed on probation for a period of eight (8) years and ordered to pay a fine and court costs.
7. In response to Finding of Fact Number Six (6), Respondent states on the night of the incident the rain fell heavy that night on an unlit road. She was less than five miles from her home when the accident happened. The left side of her car hit something in the middle of the road, but it was far too dark and rainy for her to see what she had hit. Deer live in the area and Respondent and her husband see them around that road regularly. It was nighttime and it was storming. Pedestrians do not normally walk across this highway under the best of conditions. Besides, Respondent had her headlights on, and her care would have been visible to a pedestrian from a distance. She never even considered the idea that she had hit a person and not an animal. Instead of parking her car on the road and getting out to check, alone, in the dark of the night and in the thunderstorm, she panicked and drove home to her child. She had never had a car accident, or any other traffic violation, before and did not know what else to do. She examined her care when she got home. The front was damaged and the driver's side windshield had shattered. The damage was consistent with what she thought had happened.
8. Formal Charges were filed on February 27, 2019.

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 Registered Nurse License Number 745808, heretofore issued to LOUDETHZEL JHAE ALDABA.
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 Registered Nurse License Number 745808, previously issued to LOUDETHZEL JHAE ALDABA, 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 two (2) 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. **EMPLOYMENT REQUIREMENTS**

In order to complete the terms of this Order, RESPONDENT must work as a nurse in the State of Texas, providing direct patient care in a clinical healthcare setting, for a minimum of sixty-four (64) hours per month for eight (8) quarterly periods [two (2) years] of employment. This requirement will not be satisfied until eight (8) quarterly periods of employment as a nurse have elapsed. Periods of unemployment or of employment that do not require the use of a registered nurse (RN) or a vocational nurse (LVN) license, as appropriate, will not apply to this period and will not count towards completion of this requirement.

- A. **Notifying Present and Future Employers:** RESPONDENT SHALL notify each present employer in nursing and present each with a complete copy of this Order, including all attachments, if any, within five (5) days of receipt of this Order. While under the terms of this Order, RESPONDENT SHALL notify all future employers in nursing and present each with a complete copy of this Order, including all attachments, if any, prior to accepting an offer of employment.
- B. **Notification of Employment Forms:** RESPONDENT SHALL CAUSE each present employer in nursing to submit the Board's "Notification of Employment" form to the Board's office within ten (10) days of receipt of this Order. RESPONDENT SHALL CAUSE each future employer to submit the Board's "Notification of Employment form" to the Board's office within five (5) days of employment as a nurse.
- C. **Incident Reporting:** RESPONDENT SHALL CAUSE each employer to immediately submit any and all incident, counseling, variance, unusual occurrence, and medication or other error reports involving RESPONDENT, as well as documentation of any internal investigations regarding action by RESPONDENT, to the attention of Monitoring at the Board's office.
- D. **Nursing Performance Evaluations:** RESPONDENT SHALL CAUSE each employer to submit, on forms provided to the RESPONDENT by the Board, periodic reports as to RESPONDENT'S capability to practice nursing. These reports shall be completed by the individual who supervises the RESPONDENT and these reports shall be submitted by the supervising individual to the office of

the Board at the end of each three (3) month quarterly period for eight (8) quarters [two (2) years] of employment as a nurse.

**VI. 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.

**VII. 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.

**VIII. 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.

**IX. 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.

**RESPONDENT'S CERTIFICATION**

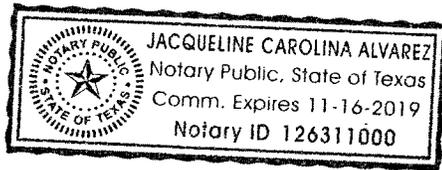
I understand that I have the right to legal counsel prior to signing this Order. I have reviewed this Order. I neither admit nor deny the violation(s) alleged herein. By my signature on this Order, I agree to the entry of this Order, and any conditions of said Order, to avoid further disciplinary action 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 5<sup>th</sup> day of August, 2019.

aldaba  
LOUDETHZEL JHAE ALDABA, Respondent

Sworn to and subscribed before me this 5<sup>th</sup> day of August, 2019.

SEAL



(Signature)  
Notary Public in and for the State of TEXAS.

Approved as to form and substance.

TA  
Tony Bertolino, Attorney for Respondent

Signed this 5<sup>th</sup> day of August, 2019.

WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Agreed Order that was signed on the 5th day of August, 2019, by LOUDETHZEL JHAE ALDABA, Registered Nurse License Number 745808, and said Agreed Order is final.

Effective this 10th day of September, 2019.



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