



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

In the Matter of
Registered Nurse License Number 785235
issued to DELIA LOPEZ BOSE

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AGREED ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of DELIA LOPEZ BOSE, Registered Nurse License Number 785235, 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 August 27, 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 a Baccalaureate Degree in Nursing from University of Santo Tomas, Manila, Philippines, on March 25, 1998. Respondent was licensed to practice professional nursing in the State of Texas on June 8, 2010.
5. Respondent's nursing employment history includes:

6/2010 - 8/2010	Unknown
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Respondent's nursing employment history continued:

9/2010 – 2/2017	RN	St. Joseph Regional Health Center Bryan, Texas
2/2017 – 4/2018	RN	Baylor Scott & White College Station, Texas
5/2018 – Present	RN	CHI St. Joseph Health Bryan, Texas

6. At the time of the initial incident, Respondent was employed as a Registered Nurse with Baylor Scott & White, College Station, Texas, and had been in that position for one (1) year and one (1) month.
7. On or about March 2018, while employed as a Registered Nurse with Baylor Scott & White, College Station, Texas, Respondent failed to properly witness/verify medication wastage which unknowingly allowed another nurse to divert Fentanyl. While busy on the unit, the nurse would persuade Respondent to sign into the pyxis and would encourage Respondent to walk away because she “was so busy” allowing the diverting nurse to document an inaccurate wastage amount under Respondent’s name and then sign as the witness. Respondent’s failure to properly verify medication wastage allowed medications to be diverted, allowed the diverting nurse to deceive the hospital’s pharmacy and placed the pharmacy in violation of Chapter 481 (Controlled Substances Act) of the Texas Health and Safety Code.
8. In response to Finding of Fact Number Seven (7), Respondent states nurses were taught to waste incorrectly during orientation. Respondent explains she asked about it but was told they are allowed to waste in various ways because of how Interventional Radiology was set up. Respondent states she always watched the nurse waste, but she did not see the amount the nurse entered for waste. Respondent states she had no experience with nurses who divert so it did not strike her as odd.
9. On or about October 20, 2019 Respondent successfully submitted a course in sharpening critical thinking skills, which would have been a requirement of this order.
10. On or about November 7, 2019, Respondent successfully completed a Texas nursing jurisprudence and ethics course, which would have been a requirement of this order.

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) and 22 TEX. ADMIN. CODE §217.12 (1)(A),(1)(B),(10)(C)&(11)(B).
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 785235, heretofore issued to DELIA LOPEZ BOSE.
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 **REMEDIAL EDUCATION WITH FINE** 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.

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. MONETARY FINE

RESPONDENT SHALL **pay a monetary fine in the amount of two hundred fifty dollars (\$250.00) within forty-five (45) days of the effective date of this Order.** Payment is to be made directly to the Texas Board of Nursing in the form of cashier's check or U.S. money order. Partial payments will not be accepted.

V. 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) and/or privilege(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

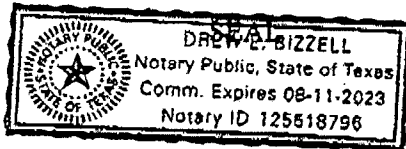
I understand that I have the right to legal counsel prior to signing this Order. I have reviewed this Order. I neither admit nor deny the violation(s) alleged herein. By my signature on this Order, I agree to the entry of this Order, and any conditions of said Order, to avoid further disciplinary action in this matter. I waive judicial review of this Order. I understand that this Order becomes effective upon acceptance by the Executive Director on behalf of the Texas Board of Nursing and a copy will be mailed to me. 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 16th day of January, 2020.

Delia L Bose

DELIA LOPEZ BOSE, RESPONDENT

Sworn to and subscribed before me this 16th day of January, 2020.



[Signature]

Notary Public in and for the State of Texas

Approved as to form and substance.

Taralynn R. Mackay

Taralynn Mackay, Attorney for Respondent

Signed this 22nd day of January, 2020.

WHEREFORE, PREMISES CONSIDERED, the Executive Director, on behalf of the Texas Board of Nursing does hereby ratify and adopt the Agreed Order that was signed on the 16th day of January, 2020, by DELIA LOPEZ BOSE, Registered Nurse License Number 785235, and said Agreed Order is final.

Effective this 23rd day of January, 2020.



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