



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 825906
& Vocational Nurse License Number 234186
issued to MICHELLE RENEE FALOR

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AGREED ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of MICHELLE RENEE FALOR, Registered Nurse License Number 825906, and Vocational Nurse License Number 234186, 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 16, 2020.

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. 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 Del Mar College, Corpus Christi, Texas, on December 16, 2010. Respondent received an Associate Degree in Nursing from Del Mar College, Corpus Christi, Texas, on August 17, 2012. Respondent was licensed to practice vocational nursing in the State of Texas on March 22, 2011. Respondent was licensed to practice professional nursing in the State of Texas on September 11, 2012.

5. Respondent's nursing employment history includes:

03/2011 – 04/2013	Unknown	
05/2013 – 01/2014	RN	Care Regional Medical Center Aransas Pass, Texas
12/2013 – 10/2014	RN	CHRISTUS Spohn Memorial Hospital – Corpus Christi, Texas
10/2014 – 10/2015	RN	New Century Hospice Corpus Christi, Texas
10/2015 – 12/2016	RN	Del Cielo Home Care Corpus Christi, Texas
01/2016 – 02/2016	Unknown	
03/2016 – 03/2017	RN	Corpus Christi Medical Center Corpus Christi, Texas
03/2017 – 08/2017	RN	Harbor Hospice Corpus Christi, Texas
08/2017 – 11/2017	RN	Retama Manor Corpus Christi, Texas
11/2017 – 03/2019	RN	Senior Care Centers – Coastal Palms – Portland, Texas
04/2019 – 07/2019	RN	Siloe Home Health Rockport, Texas
04/2019 – 07/2019	RN	Aveanna Healthcare Corpus Christi, Texas
05/2019 – Present	RN	Wellpath Corpus Christi, Texas
07/2019 – 10/2019	RN	Transitions Hospice Corpus Christi, Texas
10/2019 – 11/2019	RN	AQTS Home Health Corpus Christi, Texas

Respondent's nursing employment history continued:

11/2019 – Present	RN	New Century Hospice Corus Christi, Texas
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6. At the time of the initial incident, Respondent was employed as a Registered Nurse with AQTs Home Health, Corpus Christi, Texas, and had been in that position for two (2) months.
7. On or about October 17, 2019 through November 11, 2019, while employed as a Registered Nurse with AQTs Home Health, Corpus Christi, Texas, Respondent submitted nursing notes for visits that were either not conducted at all, or conducted at different times than those documented as having been worked. Respondent's conduct resulted in an inaccurate medical record and was likely to defraud and deceive the facility of money paid to Respondent for hours not actually worked. In addition, Respondent's conduct was likely to injure the patients in that subsequent care givers would rely on her documentation for further care.
8. On or about October 17, 2019 through November 11, 2019, while employed as a Registered Nurse with AQTs Home Health, Corpus Christi, Texas, Respondent failed to complete eighteen (18) skilled nursing visits for patients. Respondent's conduct was likely to injure the patients, in that failing to complete skilled nursing visits as ordered by a physician could have resulted in the patients not receiving the care they needed.
9. In response to Findings of Fact Numbers Seven (7) and Eight (8), Respondent states the end of October and beginning of November she began looking for new employment. Respondent states she saw all patients as requested on days she was available. She states she completed all paperwork as required. Respondent states the first week of November, she was sick and had to have the last three (3) days of the week off. She states her last official day of work for the company was November 8, 2019. She states she did not work for AQTs after that date. Respondent states she was worried when she came to discover that several of her Start of Care and Recertification notes were completed without her having to do more than enter vital signs. Respondent states she was not familiar with the incarnation of KanTime, so she inquired about the notes. She states Denise Smith, LVN told her she had completed all she needed to complete and they were submitted. Respondent states she went to Lindsay Moore with her concerns and was told she needed to focus on her work, not anyone else's. She states she was terminated on November 11, 2019. Respondent states in reference to her not completing visits, she did not have possession of any documents, nor did she have access to AQTs computer systems, so she is unable to defend those accusations directly except to say she completed all notes and visits assigned to her.
10. Formal Charges were filed on March 20, 2020.

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)&(3) and 22 TEX. ADMIN. CODE §217.12(1)(A),(1)(B),(1)(C),(4),(6)(A)&(6)(H).
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 825906, and Vocational Nurse License Number 234186, heretofore issued to MICHELLE RENEE FALOR.
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. 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. **A Board-approved course in nursing documentation** that shall be a minimum of six (6) hours in length. The course's content shall include: nursing standards related to accurate and complete documentation; legal guidelines for recording; methods and processes of recording; methods of alternative record-keeping; and computerized documentation. Home study courses and video programs will not be approved.

- C. **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.*

V. 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.

VI. 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.

VII. 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 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 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.

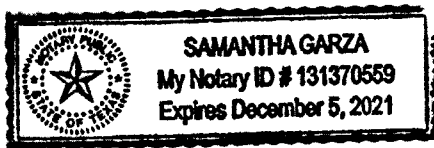
Signed this 28th day of May, 2020.
Michelle Renee Falor
MICHELLE RENEE FALOR, RESPONDENT

Sworn to and subscribed before me this 28th day of May, 2020.

SEAL

Samantha Garza

Notary Public in and for the State of Texas



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 28th day of May, 2020, by MICHELLE RENEE FALOR, Registered Nurse License Number 825906, and Vocational Nurse License Number 234186, and said Agreed Order is final.

Effective this 29th day of May, 2020.



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