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Katherine A. Thomas
Executive Director of the Board

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of § AGREED ORDER
Registered Nurse License Number 647185 §
& Vocational Nurse License Number 160790 §
issued to LILIANA WILLARS §
§

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of LILIANA WILLARS, Registered Nurse License Number 647185, and Vocational Nurse License Number 160790, 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 July 2, 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 delinquent 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 El Paso Community College, El Paso, Texas, on August 16, 1996. Respondent received an Associate Degree in Nursing from El Paso Community College, El Paso, Texas, on September 1, 1997. Respondent was licensed to practice vocational nursing in the State of Texas on November 21, 1996. Respondent was licensed to practice professional nursing in the State of Texas on December 31, 1997.

5. Respondent's nursing employment history includes:

11/1996 - 2003	Unknown	
2003 – 2008	Registered Nurse	Del Sol Medical Center El Paso, Texas
2008 – 2010	Unknown	
2010 – 2014	Registered Nurse	Sierra Medical Center El Paso, Texas
2014 – 2015	Registered Nurse	Mountain View Healthcare El Paso, Texas
2015 – 2016	Unknown	
2016 – Present	Registered Nurse	Global Hospice Care El Paso, Texas
2018 – Present	Registered Nurse	Highland Rehabilitation El Paso, Texas
1/2019 – 7/2019	Registered Nurse	University Medical Center El Paso, Texas

6. At the time of the initial incident, Respondent was employed as a Registered Nurse with University Medical Center of El Paso, El Paso, Texas, and had been in that position for three (3) months.
7. On or about April 4, 2019, May 11, 2019, and May 22, 2019, while employed as a Registered Nurse with University Medical Center of El Paso, El Paso, Texas, Respondent withdrew three (3) tabs of Hydrocodone 5/325mg from the medication dispensing system for Patient 1155866, Patient 640063, and Patient 1071129, but failed to document and/or completely and accurately document the administration of the medications in the patients' Medication Administration Records (MAR) and/or nurses' notes. Respondent's conduct was likely to injure the patients, in that subsequent care givers would rely on her documentation to further medicate the patients which could result in an overdose. Additionally, Respondent's conduct placed the hospital in violation of Chapter 481 (Controlled Substances Act) of the Texas Health and Safety Code.
8. On or about April 4, 2019 through June 13, 2019, while employed as a Registered Nurse with University Medical Center of El Paso, El Paso, Texas, Respondent withdrew three (3) tabs of Hydrocodone 5/325mg, three (3) injections of Hydromorphone 2mg, and one (1) injection of Fentanyl 100mcg from the medication dispensing system for Patient 1155866,

Patient 750703, Patient 640063, Patient 792005, Patient 1071129, and Patient 1220366, but failed to follow the facility's policy and procedures for wastage of the unused portions of the medications. Respondent's conduct left medications unaccounted for, was likely to deceive the hospital pharmacy, and placed the pharmacy in violation of Chapter 481 (Controlled Substances Act) of the Texas Health and Safety Code.

9. On or about April 4, 2019 through June 13, 2019, while employed as a Registered Nurse with University Medical Center of El Paso, El Paso, Texas, Respondent misappropriated three (3) tabs of Hydrocodone 5/325mg, three point eight (3.8) milligrams of Hydromorphone, and fifty (50) micrograms of Fentanyl belonging to the facility and patients thereof, or failed to take precautions to prevent such misappropriations. Respondent's conduct was likely to defraud the facility and patients of the cost of the medications.
10. On or about April 5, 2019, May 16, 2019, and May 17, 2019, while employed as a Registered Nurse with University Medical Center of El Paso, El Paso, Texas, Respondent failed to administer one (1) injection of Morphine 2mg and seventy-five (75) micrograms of Fentanyl as ordered by a physician in that the patients did not meet the pain scale criteria of the physician's order. Respondent's conduct was likely to injure the patient in that failure to administer medications as ordered by a physician could result in the patients suffering from adverse reactions.
11. On or about May 21, 2019 through June 18, 2019, while employed as a Registered Nurse with University Medical Center of El Paso, El Paso, Texas, Respondent failed to document four (4) follow-up pain assessments for Patient MRN 1071129 and Patient MRN 1404940 under her care. Respondent's conduct resulted in an inaccurate medical record and was likely to injure the patient in that subsequent care givers would not have complete information on which to base their care decisions.
12. On or about May 22, 2019, while employed as a Registered Nurse with University Medical Center of El Paso, El Paso, Texas, Respondent withdrew two (2) tabs of Hydrocodone 5/325mg from the medication dispensing system for Patient 1071129 in excess frequency of the physician's order. Respondent's conduct was likely to injure the patient in that the administration of medications in excess frequency of the physician's order could result in the patient suffering from adverse reactions. Additionally, Respondent's conduct placed the hospital in violation of Chapter 481 (Controlled Substances Act) of the Texas Health and Safety Code.
13. On or about June 13, 2019, while employed as a Registered Nurse with University Medical Center of El Paso, El Paso, Texas, Respondent falsely documented the administration of point two (.2) milligrams of Hydromorphone to Patient 1220366 in that the medication pull was canceled and the patient reported refusing the medication. Respondent's conduct created an inaccurate medical record and failure to administer medications as ordered by the physician could have resulted in non-efficacious treatment.

14. In response to Findings of Fact Numbers Seven (7) through Nine (9), Respondent denies failing to document or waste and denies misappropriation. Respondent reports she started working at the facility in January 2019; Respondent states she received a 90-day probation period and was informed her performance was acceptable. Respondent reports during hectic times, an oversight could occur, but she informed her PI if these instances occurred. In response to Finding of Fact (11), Respondent states the system prompted users to assess pain levels when a patient receives pain medication, so it is very difficult to not follow the appropriate procedure for pain assessments. In response to Finding of Fact Thirteen (13), Respondent denies the allegation and states the patient refused to medication, so she wasted the medication and she informed the charge nurse of the refusal.
15. On or about May 5, 2020, Respondent underwent a chemical dependency evaluation with Richard B. Patterson PhD, in which Dr. Patterson advised that Respondent had no indicators of a substance abuse problem nor evidence of any form of psychopathology. Dr. Patterson recommended Respondent participate in therapy with a professional counselor and for her to have a degree of supervision to ensure compliance with medication documentation.

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)&(3) and 22 TEX. ADMIN. CODE §217.12(1)(A), (1)(B),(1)(C),(4),(6)(A),(10)(C),(10)(E)&(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 647185, and Vocational Nurse License Number 160790, heretofore issued to LILIANA WILLARS.
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" as applicable and RESPONDENT may not work outside the State of Texas in another nurse licensure compact party state using a Texas compact license.

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 medication administration** with a didactic portion of not less than six (6) hours and a clinical component of not less than twenty-four (24) hours. Both the didactic and clinical components must be provided by the same Registered Nurse. The course's content shall include: a review of proper administration procedures for all standard routes; computation of drug dosages; the six (6) rights of medication administration; factors influencing the choice of route; and possible adverse effects resulting from improper administration. The clinical component SHALL focus on tasks of medication administration only. The course description shall indicate goals and objectives for the course, resources to be utilized, and the methods to be used to determine successful completion of the course. Successful completion of this course requires RESPONDENT to successfully complete both the didactic and clinical portions of the course.
- C. **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.
- D. **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. **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 four (4) quarterly periods [one (1) year] of employment. This requirement will not be satisfied until four (4) 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. **Indirect Supervision:** RESPONDENT SHALL be supervised by a Registered Nurse, if licensed as a Registered Nurse, or by a Licensed Vocational Nurse or a Registered Nurse, if licensed as a Licensed Vocational Nurse, who is on the premises. The supervising nurse is not required to be on the same unit or ward as RESPONDENT, but should be on the facility grounds and readily available to provide assistance and intervention if necessary. The supervising nurse shall have a minimum of two (2) years of experience in the same or similar practice setting to which the RESPONDENT is currently working. RESPONDENT SHALL work

only regularly assigned, identified and predetermined unit(s). RESPONDENT SHALL NOT be employed by a nurse registry, temporary nurse employment agency, hospice, or home health agency. RESPONDENT SHALL NOT be self-employed or contract for services. Multiple employers are prohibited.

- 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 four (4) quarters [one (1) year] of employment as a nurse.

VI. THERAPY REPORTS

While working as a nurse under the terms of this Order, RESPONDENT SHALL participate in therapy with a professional counselor with credentials approved by the Board. RESPONDENT SHALL CAUSE the therapist to submit written reports, on forms provided by the Board, as to the RESPONDENT'S progress in therapy, rehabilitation and capability to safely practice nursing. The report must indicate whether or not the RESPONDENT'S stability is sufficient to provide direct patient care safely. For the first three (3) month quarterly period RESPONDENT works as a nurse under the terms of this Order, reports are to be submitted to the Board each and every month. If therapy is recommended by the counselor for an additional period of time, the reports shall then be submitted to the Board at the end of each three (3) month quarterly period in which the RESPONDENT is working as a nurse under the terms of this Order, for the remainder of the term of the Order, or until RESPONDENT is dismissed from therapy, whichever is earlier.

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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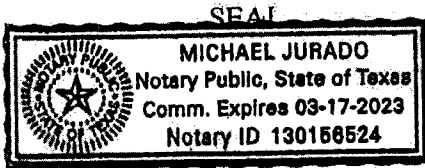
RESPONDENT'S CERTIFICATION

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 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 18 day of 08, 2020

L. Willars
LILIANA WILLARS, RESPONDENT

Sworn to and subscribed before me this 18 day of August, 2020.



[Signature]
Notary Public in and for the State of TX

WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Agreed Order that was signed on the 18th day of August, 2020, by LILIANA WILLARS, Registered Nurse License Number 647185, and Vocational Nurse License Number 160790, and said Agreed Order is final.

Effective this 22nd day of October, 2020.



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