

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of	§	AGREED ORDER
Registered Nurse License Number 581824	§	
& Vocational Nurse License Number 77945	§	
issued to MARIA DELA LUZ CERON	§	

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of MARIA DELA LUZ CERON, Registered Nurse License Number 581824, and Vocational Nurse License Number 77945, 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 September 22, 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 All Saints Episcopal Vocational School of Nursing, Ft Worth, Texas, on September 1, 1978. Respondent received an Associate Degree in Nursing from U of Texas-Pan American-Ad, Edinburg, Texas, on May 1, 1992. Respondent was licensed to practice vocational nursing in the State of Texas on November 28, 1978. Respondent was licensed to practice professional nursing in the State of Texas on August 31, 1992.

5. Respondent's nursing employment history includes:

11/1978-04/1982	Unknown	
05/1982-Present	RN	South Texas Health System McAllen, Texas
01/2008-01/2019	RN	HCA Healthcare Inc. McAllen, Texas

6. On or about June 24, 2020, while employed as a Registered Nurse with South Texas Health System and assigned to McAllen Medical Center, McAllen, Texas, Respondent failed to implement measures to prevent exposure to patients and staff to COVID-19 by knowingly reporting to work after possible unprotected exposure. Additionally, Respondent reported to work with a dry cough and failed to make staff aware of possible exposure until well into the shift. Respondent subsequently tested positive for COVID-19. Respondent's conduct exposed patients and staff unnecessarily to a risk of illness.
7. In response to Finding of Fact Number Six (6) Respondent states on June 23, 2020, her daughter informed her that she had tested positive for COVID. Respondent states she reported to work on June 24, 2020, as scheduled. Respondent states she tried to contact Employee Health, but was unable to reach anyone and just before noon she contacted her Clinical Supervisor and explained her possible exposure to family members. Respondent states she had been staying at another daughter's house for the past week. Respondent states at around 1:30pm, she saw the Employee Health Nurse and explained to her the situation, stating that she was doing charge and had no direct contact with patients. The Employee Health Nurse determined she could finish the shift based on the lack of unprotected exposure, living conditions, and because she appeared asymptomatic. Respondent states at about 1415, she was instructed to go ahead and go home, and on June 26th, she received her test results and proceeded to quarantine at home for a total of fourteen (14) days.

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)(O) and 22 TEX. ADMIN. CODE §217.12 (1)(A),(1)(B),(1)(E)&(4).
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

581824, and Vocational Nurse License Number 77945, heretofore issued to MARIA DELA LUZ CERON.

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. **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.
- C. **The course "Professional Accountability,"** a 4.6 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. 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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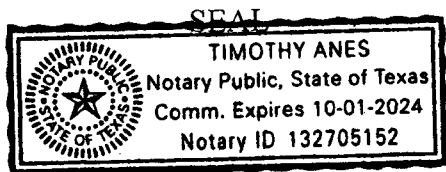
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RESPONDENT'S CERTIFICATION

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 22 day of October, 2020.
Maria Dela Luz Ceron
MARIA DELA LUZ CERON, RESPONDENT

Sworn to and subscribed before me this 22 day of October, 2020.



Timothy Anes
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 that was signed on the 22nd day of October, 2020, by MARIA DELA LUZ CERON, Registered Nurse License Number 581824, and Vocational Nurse License Number 77945, and said Agreed Order is final.

Effective this 8th day of December, 2020.

A handwritten signature in black ink, appearing to read "Katherine A. Thomas".

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