



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  
Vocational Nurse License Number 328214 §  
issued to MARIA GUADALUPE HERNANDEZ §  
§

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of MARIA GUADALUPE HERNANDEZ, Vocational Nurse License Number 328214, 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)(1)&(10), 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 December 4, 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.
4. Respondent received a Certificate in Vocational Nursing from San Jacinto College North, Houston, Texas, on August 13, 2015. Respondent was licensed to practice vocational nursing in the State of Texas on September 17, 2015.
5. Respondent's nursing employment history includes:

10/2015 – 12/2015	LVN	ABC Pediatrics
12/2015 – 2/2016	Unknown	

Respondent's nursing employment history continued:

2/2016 – 3/2016	LVN	Harris Health System Pasadena, Texas
3/2018 – Present	Unknown	

6. On or about April 26, 2018, the Board accepted the Voluntary Surrender of Respondent's license to practice nursing in the State of Texas through an Order of the Board. A copy of the April 26, 2018, Order is attached and incorporated herein by reference as part of this Agreed Order.
7. On or about March 24, 2020, Respondent's license to practice nursing in the State of Texas was Reinstated through an Order of the Board. A copy of the March 24, 2020, Order is attached and incorporated herein by reference as part of this Agreed Order.
8. On or about October 15, 2020, Respondent became noncompliant with the Reinstatement Agreed Order issued to her by the Texas Board of Nursing on March 24, 2020. Noncompliance is the result of her failure to comply with all requirements of the Texas Peer Assistance program for Nurses (TPAPN) participation agreement in that she voluntarily withdrew from the program. Respondent failed to comply with Section III, Stipulation D of the Reinstatement Agreed Order dated March 24, 2020, which states, in pertinent part:

"D. PETITIONER SHALL comply with all requirements of the TPAPN participation agreement during its term..."

On or about October 15, 2020, Respondent was dismissed from TPAPN and referred back to the Board.

A copy of the Finding of Fact, Conclusions of Law, and Terms of the Order dated March 24, 2020, is attached and incorporated, by reference, as part of this pleading.

9. Respondent successfully completed the Nursing Jurisprudence and Ethics course on April 4, 2020, 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 §217.12(9).
4. The evidence received is sufficient cause pursuant to Section 301.452(b)(1)&(10), Texas Occupations Code, to take disciplinary action against Vocational Nurse License Number 328214, heretofore issued to MARIA GUADALUPE HERNANDEZ.
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, subject to ratification by the Texas Board of Nursing, that Vocational Nurse License Number 328214, previously issued to MARIA GUADALUPE HERNANDEZ, to practice nursing in the State of Texas is/are hereby **SUSPENDED** and said suspension is **ENFORCED** until RESPONDENT:

Completes a mental health/psychological evaluation and a neuropsychological evaluation that meet the requirements specified by the Board in its adopted Guidelines for Physical and Psychological Evaluations, which may be found at the following web address: <http://www.bon.texas.gov/pdfs/eval-guidelines.pdf>. RESPONDENT SHALL:

- A. Notify the performing evaluators of this Order of the Board prior to completing the evaluation;
- B. Cause the performing evaluators to send a report of the evaluation to the Board's office; and
- C. Comply with any recommendations made by the evaluators for therapy or other follow-up, in addition to the probationary terms stated herein.

**If either of the evaluations state that the RESPONDENT currently lacks fitness to practice nursing, RESPONDENT'S license(s) to practice nursing SHALL remain SUSPENDED until such time as the same evaluators deem the RESPONDENT safe to return to direct patient care.**

IT IS FURTHER AGREED, upon verification of successful completion of the above requirements, the Suspension will be **STAYED**, and RESPONDENT will be placed on **PROBATION** for a minimum of two (2) years **AND** until RESPONDENT fulfills the additional requirements of this Order.

- D. RESPONDENT SHALL pay all re-registration fees, if applicable, and RESPONDENT'S licensure status in the State of Texas will be updated to reflect the applicable conditions outlined herein.
- E. This Order SHALL apply to any and all future licenses issued to RESPONDENT to practice nursing in the State of Texas.
- F. This Order SHALL be applicable to RESPONDENT'S nurse licensure compact privileges, if any, to practice nursing in the State of Texas.
- G. 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. SUPERSEDING ORDER

IT IS FURTHER AGREED and ORDERED that the sanction and conditions of this Agreed Order SHALL supersede all previous stipulations required by any Order entered by the Texas Board of Nursing.

## IV. 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.

**V. 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 suspension being stayed, 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).*

**VI. 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. **Direct Supervision:** For the first year [four (4) quarters] of employment as a Nurse under this order, RESPONDENT SHALL be directly 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. Direct supervision requires another nurse, as applicable, to be working on the same unit as RESPONDENT and immediately available to provide assistance and intervention. RESPONDENT SHALL work only on 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. **Indirect Supervision:** For the remainder of the stipulation/probation period, 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.

- E. **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.

## VII. 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.

## 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) 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 23<sup>rd</sup> day of January, 20 21.

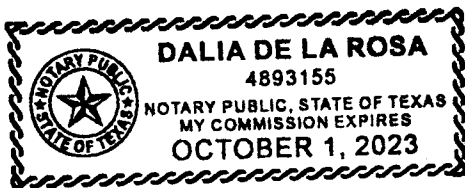
Maria Hernandez  
MARIA GUADALUPE HERNANDEZ, RESPONDENT

Sworn to and subscribed before me this 23<sup>rd</sup> day of January, 20 21.

SEAL

Dalia De La Rosa

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 23rd day of January, 2021, by MARIA GUADALUPE HERNANDEZ, Vocational Nurse License Number 328214, and said Agreed Order is final.

Effective this 23<sup>rd</sup> day of March, 2021.



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



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.  
*William J. July*  
Executive Director of the Board

BEFORE THE TEXAS BOARD OF NURSING  
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In the Matter of §  
Vocational Nurse License Number 328214 §  
issued to MARIA GUADALUPE MARROQUIN §

ORDER OF THE BOARD

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of MARIA GUADALUPE MARROQUIN, Vocational Nurse License Number 328214, hereinafter referred to as Respondent.

This action was taken in accordance with Section 301.453(c), Texas Occupations Code.

Respondent waived notice and hearing and agreed to the entry of this Order.

The Board makes the following Findings of Fact and Conclusions of Law.

FINDINGS OF FACT

1. Respondent's license to practice as a vocational nurse in the State of Texas is in current status.
2. Respondent waived notice and hearing, and agreed to the entry of this Order.
3. Respondent received a Certificate in Vocational Nursing from San Jacinto College North, Houston, Texas, on August 13, 2015. Respondent was licensed to practice vocational nursing in the State of Texas on September 17, 2015.
4. Respondent's nursing employment history is unknown.
9. On or about April 13, 2018, Respondent was notified of the following allegation:

On or about March 16, 2018, Respondent submitted to a Psychological Evaluation with Dr. William July, who concluded that in Respondent's current state she is not emotionally or psychologically capable of fulfilling the duties of a professional nurse.

10. On April 26, 2018, the Board received a notarized statement from Respondent voluntarily surrendering the right to practice nursing in Texas. A copy of Respondent's statement, dated April 26, 2018, is attached and incorporated herein by reference as part 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 §217.12(5).
4. The evidence received is sufficient cause pursuant to Section 301.452(b)(10)&(12), Texas Occupations Code, to take disciplinary action against Vocational Nurse License Number 328214, heretofore issued to MARIA GUADALUPE MARROQUIN, including revocation of Respondent's license(s) to practice nursing in the State of Texas.
5. Under Section 301.453(c), Texas Occupations Code, the Board has the authority to accept the voluntary surrender of a license.
6. Under Section 301.453(d), Texas Occupations Code, as amended, the Board may impose conditions for reinstatement of licensure.
7. Any subsequent reinstatement of this license will be controlled by Section 301.453(d), Texas Occupations Code, and 22 TEX. ADMIN. CODE §213.26-.29, and any amendments thereof in effect at the time of the reinstatement.

### TERMS OF ORDER

NOW, THEREFORE, IT IS ORDERED that the **VOLUNTARY SURRENDER** of Vocational Nurse License Number 328214, heretofore issued to MARIA GUADALUPE MARROQUIN, to practice nursing in the State of Texas, is accepted by the Executive Director on behalf of the Texas Board of Nursing. In connection with this acceptance, the Board imposes the following conditions:


1. RESPONDENT SHALL NOT practice vocational nursing, use the title "vocational nurse" or the abbreviation "LVN" or wear any insignia identifying herself as a vocational nurse, or use any designation which, directly or indirectly, would lead any person to believe that RESPONDENT is a vocational nurse during the period in which the license is surrendered.
2. RESPONDENT SHALL NOT petition for reinstatement of licensure until at least one (1) year has elapsed from the date of this Order.

3. Upon petitioning for reinstatement, RESPONDENT SHALL satisfy all then existing requirements for relicensure.

IT IS FURTHER AGREED and ORDERED that this Order SHALL be applicable to Respondent's nurse licensure compact privileges, if any, to practice nursing in the State of Texas.

Effective this 26th day of April, 2018.

TEXAS BOARD OF NURSING

By:   
\_\_\_\_\_  
Katherine A. Thomas, MN, RN, FAAN  
Executive Director on behalf  
of said Board

4/26/18

Pg 1 of 2

Dear Texas Board of Nursing and to whom it may concern,

This letter is to inform you that I have decided to surrender my nursing license as an LVN, effective immediately. My license number is 328214.

Sincerely,

A handwritten signature in black ink, appearing to read "Maria M", written in a cursive style.

Maria Marroquin

María  
Marroquin

Pg 2 of 2

LIC # 328214

This certificate is attached to a 1 page document dated 04/26/18 entitled Jx Board of Advisors

### ACKNOWLEDGMENT CERTIFICATE

State of Texas  
County of HARRIS

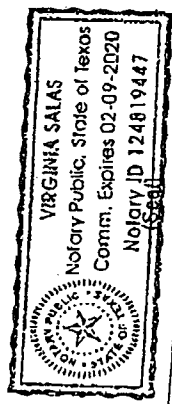
Before me, Virginia Salas,  
day personally appeared María Marroquin, on this \_\_\_\_\_, 2018,  
Notary Public  
Name of signer(s)

to be the person(s) whose name(s) is/are subscribed to the foregoing instrument and acknowledged to me that he/she/they executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office this 26th day of April, 2018 Year

Virginia Salas  
Notary Public's Signature

Signer's Identity verified by:  
 Personally known to me  
 Identity proven on the oath  
 Identity proven on the basis of TXDL  
Name of Creditor witness  
Description of Identity used as other document





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	§	REINSTATEMENT
Vocational Nurse License Number 328214	§	AGREED ORDER
issued to MARIA GUADALUPE	§	
MARROQUIN	§	

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the Petition for Reinstatement, hereinafter referred to as the Petition, of Vocational Nurse License Number 328214, held by MARIA GUADALUPE MARROQUIN, hereinafter referred to as Petitioner.

Petitioner waived notice and hearing and agreed to the entry of this Reinstatement Agreed Order approved by Katherine A. Thomas, MN, RN, FAAN, Executive Director, on March 23, 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 Petitioner and Petitioner was given an opportunity to show compliance with all requirements of the law for retention of the license(s).
2. Petitioner waived notice and hearing, and agreed to the entry of this Reinstatement Agreed Order.
3. Petitioner received a Certificate in Vocational Nursing from San Jacinto College North, Houston, Texas, on August 13, 2015. Petitioner was licensed to practice vocational nursing in the State of Texas on September 17, 2015.
4. Petitioner's nursing employment history includes:

10/2015 – 12/2015	LVN	ABC Pediatrics Houston, Texas
12/2015 – 02/2016	Unknown	

Petitioner's nursing employment history continued:

02/2016 – 03/22016	LVN	Harris Health System Pasadena, Texas
03/2018 – Present	Non nursing	

5. On or about April 26, 2018, the Board accepted the Voluntary Surrender of Petitioner's license to practice nursing in the State of Texas through an Order of the Board. A copy of the April 26, 2018, Order is attached and incorporated herein by reference as part of this Reinstatement Agreed Order.
6. On or about May 22, 2019, Petitioner submitted a Petition for Reinstatement of License to practice nursing in the State of Texas.
7. Petitioner presented the following in support of said petition:
  - A. Letter of support dated May 15, 2019 from Uzma Shamim, Houston Cancer Treatment Centers, stating he was impressed with Petitioner's enthusiasm and professionalism as a nurse's aide. Petitioner is reliable, friendly, compassionate and professional.
  - B. Letter of support dated February 5, 2020 from Joan Suszko, MD, Harris Health System, stating Petitioner currently engaged in treatment. She began in May 2018 and continues today. She has been compliant with treatment recommendations and medications.
  - C. Letter of support dated February 20, 2020 from Marnita Chambers, MA, LPC, Harris Health System, stating Petitioner attends therapy consistently, and plans to continue.
  - D. Letter of support from Lindsey E. Knott, Ph.D., stating Petitioner participated in outpatient treatment between 11/4/2019 to 1/3/2020. She successfully completed the program and made significant therapeutic gains towards her goals. At this time, Petitioner does not require further intervention.
  - E. Documentation of the required continuing education contact hours.
8. On or about August 21, 2019, Petitioner presented to Donna Yi, M.D., P.A., Houston, Texas, for examination. As a result, Dr. Yi was able to offer the following Conclusion and Recommendation:

Dr. Cunningham has advised that evaluatee return to IOP treatment and see a therapist, however, the evaluatee has had difficulty following up on these recommendations...

Psychological testing noted, however, serious and significant emotional symptoms such that she likely continues to have moderate-to-severe depression, anxiety, and mood instability. Thus, she remains at increased risk for self-injurious behavior and suicidal ideation....

Given the persistence of significant psychiatric symptoms, the evaluatee cannot be deemed fit to return to nursing practice until consistent and substantiated psychiatric stability is achieved. (a) Re-evaluation of her fitness to practice nursing can be undertaken if and when her treatment providers determine that current psychiatric concerns are improved such that she does not pose a risk to herself and others in the workplace....

Treatment recommendation include (a) evaluatee should be referred to a primary care physician and cardiologist; (b) continue in psychiatric treatment with Dr. Cunningham for medication management, along with (i) adhere to Dr. Cunningham's recommendation for IOP and, given the chronicity of her symptoms, the likely need for continued long-term individually and group psychotherapy after completion of the program; (ii) referred for individual and group DBT; (iii) other therapies aimed at addressing trauma; (iv) other medications; (v) refrain from such alcohol consumption; (c) professional education on boundaries; (d) receive psychoeducation about her condition.

9. Respondent completed an Intensive Outpatient Program (IOP) through the Ben Taub/Harris Health System between the dates of November 4, 2019 and January 3, 2020. A letter from Lindsey E. Knott, Ph.D. indicates Respondent "made significant therapeutic gains towards her goals" and is "considered terminated from the care of the IOP and does not require further intervention at the intensive outpatient level of care."
10. On February 5, 2020, Joan Suszko, MD, Attending Psychiatrist in the Harris Healthy System wrote a letter on behalf of Respondent indicating she is currently engaged in psychiatry outpatient treatment which started in May of 2018 and has been compliant with treatment recommendations and medications.
11. Respondent submitted an additional letter of recommendation from Michael Garza-Burns, her Phlebotomy Supervisor at Your Health Lab dated February 8, 2020. Mr. Garza-Burns indicated that he worked with Respondent in the same oncology clinic for over a year. He notes that her knowledge and compassion are unequalled and that she is well-practiced in multi-tasking and prioritizing. He also indicated she is a capable instructor after witnessing her train several co-workers.
12. On February 20, 2020, Marnita Chambers, MA, LPC with Gulfgate Health Clinic wrote a letter on behalf of Respondent indicated she is currently receiving therapy and is attending consistently with a plan to continue at this time.
13. The Executive Director considered evidence of Petitioner's past behavior in light of the factors set out in 22 TEX. ADMIN. CODE §213.27 and determined that Petitioner currently demonstrates the criteria required for relicensure.
14. The Executive Director considered evidence of Petitioner's mental illness and subsequent treatment as provided in 22 TEX. ADMIN. CODE §213.29 and in accordance with 22 TEX. ADMIN. CODE §213.33.

15. Relicensure of Petitioner poses no direct threat to the health and safety of patients or the public provided Petitioner complies with the stipulations outlined in this Order.
16. The Executive Director's review of Petitioner's eligibility for relicensure has been made on the basis of Petitioner's disclosures.
17. Petitioner's compliance with the terms of a Board approved peer assistance program should be sufficient to protect patients and the public.

#### CONCLUSIONS OF LAW

1. Pursuant to Texas Occupations Code, Sections 301.451-301.555, the Board has jurisdiction over this matter.
2. This reinstatement is made pursuant to Sections 301.453(c) and 301.467, Texas Occupations Code and 22 TEX. ADMIN. CODE §213.26.
3. The Board may relicense an individual upon evaluation of the factors in 22 TEX. ADMIN. CODE §213.27, and pursuant to 22 TEX. ADMIN. CODE §213.33, if the Board is satisfied that the individual is able to consistently conform her conduct to the requirements of the Nursing Practice Act, the Board's Rules and Regulations, and generally accepted standards of nursing practice.
4. This Order is conditioned upon the accuracy and completeness of Petitioner's disclosures. Any subsequently discovered discrepancies will result in investigation and possible disciplinary action, up to revocation of Petitioner's license(s).
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. REINSTATEMENT OF LICENSURE AND APPLICABILITY**

IT IS THEREFORE AGREED and ORDERED, subject to ratification by the Texas Board of Nursing, that the petition of MARIA GUADALUPE MARROQUIN for reinstatement of license to practice nursing in the State of Texas be **GRANTED** and

Vocational Nurse License Number 328214 is/are hereby **REINSTATED** in accordance with the terms of this Order.

- A. PETITIONER SHALL pay all re-registration fees, if applicable, and PETITIONER'S licensure status in the State of Texas will be updated to reflect the applicable conditions outlined herein.
- B. Until successfully completed, this Order SHALL apply to any and all future licenses issued to PETITIONER to practice nursing in the State of Texas.
- C. Until successfully completed, this Order SHALL be applicable to PETITIONER'S nurse licensure compact privileges, if any, to practice nursing in the State of Texas.
- D. As a result of this Order, PETITIONER'S license(s) will be designated "single state" and PETITIONER 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, PETITIONER 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 Reinstatement Agreed Order.

## III. PEER ASSISTANCE PROGRAM REQUIREMENTS

IT IS FURTHER AGREED and ORDERED that PETITIONER SHALL comply with the following conditions for such a time as is required for PETITIONER to successfully complete the **Texas Peer Assistance Program for Nurses (TPAPN)**:

- A. Within forty-five (45) days following the date of relicensure, PETITIONER SHALL apply to TPAPN.
- B. Within ninety (90) days following the date of relicensure, PETITIONER SHALL sign and execute the TPAPN participation agreement and complete the enrollment process.

- C. Upon acceptance into the TPAPN, PETITIONER SHALL waive confidentiality and provide a copy of the executed TPAPN participation agreement to the Texas Board of Nursing.
- D. PETITIONER SHALL comply with all requirements of the TPAPN participation agreement during its term and SHALL keep all applicable license(s) to practice nursing in the State of Texas in current status.
- E. PETITIONER SHALL CAUSE the TPAPN to notify the Texas Board of Nursing of any violation of the TPAPN participation agreement.

#### IV. REMEDIAL EDUCATION COURSE(S)

In addition to any continuing education requirements the Board may require for licensure renewal, PETITIONER SHALL successfully complete the following remedial education course(s) within one (1) year of relicensure, 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.

In order to receive credit for completion of this/these course(s), PETITIONER 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. PETITIONER 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. EFFECT OF NONCOMPLIANCE

SHOULD PETITIONER fail to comply with this Order or the terms of the participation agreement with the TPAPN, such noncompliance will result in further

disciplinary action including TEMPORARY SUSPENSION pursuant to Section 301.4551, Texas Occupations Code, or REVOCATION of PETITIONER'S license(s) and nurse licensure compact privileges, if any, to practice nursing in the State of Texas.

**VI. RESTORATION OF UNENCUMBERED LICENSE(S)**

Upon full compliance with the terms of this Reinstatement Agreed Order, all encumbrances will be removed from PETITIONER'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, PETITIONER may be eligible for nurse licensure compact privileges, if any.

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CONDITIONS OF CONTRACT

It is understood that the conditions of the contract and compliance with the same are the responsibility of the contractor. The contractor shall be responsible for any violation of the contract and shall be held liable for the same. The contractor shall be held liable for any violation of the contract and shall be held liable for the same. The contractor shall be held liable for any violation of the contract and shall be held liable for the same.

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Witness my hand and seal this 10th day of March 1924.

*[Signature]*

Notary Public in and for the State of Texas


Sworn to and subscribed before me this \_\_\_\_\_ day of \_\_\_\_\_

SEAL

Notary Public in and for the State of \_\_\_\_\_

WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Reinstatement Agreed Order that was signed on the 23rd day of March, 2020, by MARIA GUADALUPE MARROQUIN, Vocational Nurse License Number 328214, and said Reinstatement Agreed Order is final.

Effective this 24th day of March, 2020.

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