



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  
Registered Nurse License Number 644415  
issued to MICHELLE LEIGH JUAREZ

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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 LEIGH JUAREZ, Registered Nurse License Number 644415, 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 October 4, 2018.

### 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 an Associate Degree in Nursing from San Antonio College, San Antonio, Texas, on May 1, 1997. Respondent was licensed to practice professional nursing in the State of Texas on August 5, 1997.
5. Respondent's nursing employment history includes:

08/1997 – 01/2011

RN

Metropolitan Methodist  
Hospital  
San Antonio, TX

Respondent's nursing employment history continued:

02/2011- 06/2012	Unknown	
07/2012 – 09/2013	RN	Baptist Health System San Antonio, TX
10/2013 – 11/2013	RN	University Health System San Antonio, TX
12/2013 – 02/2014	Unknown	
03/2014 – 07/2014	RN	Christus Santa Rosa Westover Hills Hospital
08/2014 - 09/2014	Unknown	
10/2014 – 07/2015	RN	Career Point College San Antonio, TX
08/2015 – 10/2015	RN	Texas Kids Home Therapy and Nursing Boerne, TX
01/2016 – 03/2016	Unknown	
04/2016 – 05/2016	RN	Southside Pharmaceuticals Houston, TX
06/2016 – 07/2016	RN	Maxim Staffing Solutions San Antonio, TX
08/2016 – 04/2017	RN	Pediatric Home Healthcare Agency San Antonio, TX
04/2017 – 12/2017	RN	Angels of Care Home Health Care San Antonio, TX
12/2017 – Present	RN	Super Hero Kids Pediatric Home Health McAllen, TX

Respondent's nursing employment history continued:

02/2018 – 04/2018

RN

National Nursing and Rehab  
San Antonio, TX

6. At the time of the initial incident, Respondent was employed as a Registered Nurse with National Nursing and Rehab, San Antonio, Texas, and had been in that position for two (2) months.
7. On or about April 5, 2018, while employed with National Nursing and Rehab, San Antonio, Texas, and assigned to provide nursing care for Patient TG, Respondent inappropriately overshares personal information regarding her own mother's similar diagnosis to that of the patient, and failed to respect the patient's boundaries. Respondent's conduct was likely to injure the patient in that it could have resulted in the confusion between the needs of the nurse and those of the patient, which may not be recognized or felt by the patient until harmful consequences occur.
8. On or about April 5, 2018, while employed with National Nursing and Rehab, San Antonio, Texas, and assigned to provide nursing care for Patient TG, Respondent left her nursing assignment early, without notifying the appropriate personnel, and transferred care to the patient's older brother. Additionally, the patient's brother was not familiar with providing the patient's medical care, including working a feeding bag and feeding tube, that became clogged. Respondent's conduct was likely to injure the patient in that leaving the nursing assignment could have resulted in the patient not getting the care they needed.
9. In response to Finding of Fact Number Seven (7), Respondent states she shared with T.G. about her mother's diagnosis and asked if she would like to see pictures to be used as a learning tool/teaching method. According to Respondent, T.G. was receptive to the idea. Respondent explains as she showed the patient the pictures, she appeared interested and curious as to what her mother was going through emotionally and physically. Respondent states T.G. showed no nonverbal behavioral signs of looking uncomfortable. Regarding Finding of Fact Number Eight (8), Respondent states TG stated she wanted her brother to watch over her and for her to leave. Respondent explains gave full report to Dray and he verbalized he understood TG wanted Respondent to leave and wanted him to watch over her.

#### 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)(I)&(1)(J) and 22 TEX. ADMIN. CODE §217.12 (1)(B),(4),(6)(D)&(12).
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 644415, heretofore issued to MICHELLE LEIGH JUAREZ.
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 AND 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. **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).*

**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. 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.

## 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) 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 representation by counsel. I have reviewed this Order. I neither admit nor deny the allegations alleged herein. By my signature on this Order, I agree to the entry of this Order, and my compliance of said Order, to avoid further disciplinary action in this matter. I waive my right to 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 11<sup>th</sup> day of February, 2021

Michelle Leigh Juarez  
MICHELLE LEIGH JUAREZ, Respondent

Sworn to and subscribed before me this \_\_\_\_\_ day of \_\_\_\_\_, 2021

SEAL

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



WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Agreed Order that was signed on the 10th day of February, 2021, by MICHELLE LEIGH JUAREZ, Registered Nurse License Number 644415, and said Agreed Order is final.

Effective this 23rd day of March, 2021.

A handwritten signature in black ink, appearing to read "Katherine A. Thomas". The signature is written in a cursive, flowing style.

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