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Katherine A. Thomas
Executive Director of the Board

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of § AGREED ORDER
Vocational Nurse License Number 352965 § FOR
issued to JUANA MARITZA SUAREZ § KSTAR PROGRAM
§

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considers the matter of JUANA MARITZA SUAREZ, Vocational Nurse License Number 352965, 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 for KSTAR Program approved by Katherine A. Thomas, MN, RN, FAAN, Executive Director, on January 21, 2021.

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 for KSTAR Program.
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 Coastal Bend College, Beeville, Texas, on December 17, 2019. Respondent was licensed to practice vocational nursing in the State of Texas on March 5, 2020.

5. Respondent's nursing employment history includes:

3/2020 - Present Licensed Vocational Nurse Retama Manor Nursing Center
Pleasanton South
Pleasanton, Texas

6. At the time of the incident, Respondent was employed as a Licensed Vocational Nurse with Retama Manor Nursing Center Pleasanton South, Pleasanton, Texas, and had been in that position for five (5) months.
7. On or about August 5, 2020, while employed as a Licensed Vocational Nurse at Retama Manor Nursing Center Pleasanton South, Pleasanton, Texas, Respondent failed to timely notify the physician regarding the change in condition of Resident R.C. Specifically, Resident R.C., who was undergoing frequent neurological assessments related to a fall at approximately 4 p.m. that had resulted in a head injury, experienced a change in his verbal assessment at approximately 6:30 p.m.; however, the physician was not notified until 7:30 p.m. Subsequently, Respondent was ordered to call 911 and send Resident R.C. to the hospital, where he was diagnosed with a brain bleed. Respondent's conduct was likely to injure the patient in that it deprived medical providers with pertinent information that may have led to earlier emergency medical care.
8. In response to the incident in Finding of Fact Number Seven (7), Respondent states that the physician was notified at the time of the fall and stated to continue with the fall protocol and neurological checks. Respondent states that she assessed the resident at 4:30 p.m. and the resident was alert with clear speech. Respondent states that she assessed the resident at 5 p.m. and the resident was alert and verbalizing appropriately. Respondent states that she assessed the resident at 5:30 p.m., and then she consulted with the director of nursing who assessed the resident and noted the resident to be alert and able to verbalize appropriately. Respondent states that she assessed the resident at 6:30 p.m. and the resident was able to open his eyes to verbal stimuli and answer questions verbally and appropriately. Respondent states that she assessed the resident at 7:30 p.m. and noted a decreased reaction to verbal stimuli, which prompted her to consult with a registered nurse.

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)&(1)(P) and 22 TEX. ADMIN. CODE §217.12(1)(B)&(4).

4. The evidence received is sufficient cause pursuant to Section 301.452(b)(10)&(13), Texas Occupations Code, to take disciplinary action against Vocational Nurse License Number 352965, heretofore issued to JUANA MARITZA SUAREZ.
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 for KSTAR Program.

III. KNOWLEDGE, SKILLS, TRAINING, ASSESSMENT AND RESEARCH (KSTAR) PROGRAM

IT IS AGREED and ORDERED that RESPONDENT SHALL, **within one (1) year of the effective date of this Order**, successfully complete the Knowledge, Skills, Training, Assessment and Research (KSTAR) Program and RESPONDENT SHALL:

- A. **Within forty-five (45) days** following the effective date of this Order, apply to and enroll in the KSTAR Program, including payment of any fees and costs, unless otherwise agreed in writing;
- B. Submit to an individualized assessment designed to evaluate RESPONDENT'S nursing practice competency and to support a targeted remediation plan;
- C. Follow all requirements within the remediation plan, if any;
- D. Successfully complete a Board-approved course in Texas nursing jurisprudence and ethics as part of the KSTAR Program; and
- E. Provide written documentation of successful completion of the KSTAR Program to the attention of Monitoring at the Board's office.

IV. FURTHER COMPETENCY ISSUES AND VIOLATIONS

IT IS FURTHER AGREED, SHOULD RESPONDENT'S individualized KSTAR Program assessment identify further competency issues and violations of the Nursing Practice Act, including inability to practice nursing safely, further disciplinary action, up to and including revocation of RESPONDENT'S license(s) to practice nursing in the State of Texas, may be taken based on such results in the assessments.

V. RESTORATION OF UNENCUMBERED LICENSE(S)

Upon full compliance with the terms of this Agreed Order for KSTAR Program, 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 day of March, 2021.

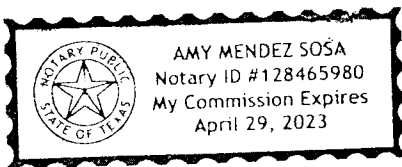
Juana Suarez
JUANA MARITZA SUAREZ, RESPONDENT

Sworn to and subscribed before me this 23rd day of March, 2021.

SEAL

Amy Soza

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 for KSTAR Program that was signed on the 23rd day of March, 2021, by JUANA MARITZA SUAREZ, Vocational Nurse License Number 352965, and said Agreed Order for KSTAR Program is final.

Effective this 22nd day of April, 2021.



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