BEFORE THE TEXAS BOARD OF NURSING

****

In the Matter of	§	AGREED ORDER
Registered Nurse License Number 554386	§	
& Vocational Nurse License Number 101957	§	
issued to SUSAN FLORES	§	
	§	

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of SUSAN FLORES, Registered Nurse License Number 554386, and Vocational Nurse License Number 101957, 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 March 23, 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.

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 Victoria College, Gonzales, Texas, on August 12, 1983. Respondent received an Associate Degree in Nursing from Austin Community College, Austin, Texas, on May 6, 1989. Respondent was licensed to practice vocational nursing in the State of Texas on November 30, 1983. Respondent was licensed to practice professional nursing in the State of Texas on August 25, 1989.

5. Respondent's nursing employment history includes:

11/83 – Unknown	LVN	Gonzales Memorial Hospital Gonzales, Texas
06/88 – 08/89	LVN	Guadalupe Valley Hospital Seguin, Texas
08/89 – 12/17	RN	Guadalupe Regional Medical Center Seguin, Texas
04/96 – 05/98	RN	McKenna Home Health Care New Braunfels, Texas
04/99 – 09/03	RN	Seguin Nursing & Rehabilitation Center Sequin, Texas
05/10 – Unknown	Contract RN	Draco Services, Inc. Austin, Texas

6. On or about September 10, 2019, Respondent was issued the sanction of Warning with Stipulations by the Board through an Agreed Order for KSTAR Program. A copy of the September 10, 2019, Order is attached and incorporated herein by reference as part of this Agreed Order.

7. On or about January 22, 2020, Respondent successfully completed a Board approved course in Texas nursing jurisprudence and ethics, which would have been a requirement of this Order.

8. On or about March 1, 2021, Respondent failed to comply with the Agreed Order for KSTAR Program issued to her on September 10, 2019. Noncompliance resulted when Respondent failed to successfully complete the KSTAR Program, as required.

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(11)(B).

4. The evidence received is sufficient cause pursuant to Section 301.452(b)(1)&(10), Texas Occupations Code, to take disciplinary action against Registered Nurse License Number

554386, and Vocational Nurse License Number 101957, heretofore issued to SUSAN FLORES.

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 RESPONDENT'S license(s), and any privilege(s) to practice, as applicable, shall be placed in **INACTIVE** status.

Should RESPONDENT decide in the future to reactivate his/her license(s) to practice nursing in the State of Texas, RESPONDENT SHALL be required to petition the Board for reactivation of the license and satisfy all then existing requirements for reactivation. Further, RESPONDENT'S reactivated license(s) SHALL BE subject to, at a minimum, the remedial education courses, work restrictions, supervised practice, and employer reporting which would have been requirements of this Order had RESPONDENT not chosen to inactivate his/her nursing license(s).

Until such time that RESPONDENT'S license(s) to practice nursing in the State of Texas is/are reactivated, RESPONDENT SHALL NOT use a Privilege to Practice Nursing in the State of Texas from any Nurse License Compact member state.

II.   **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.
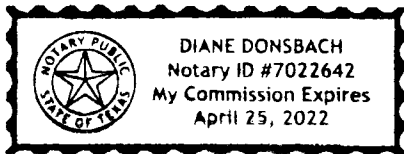
RESPONDENT'S CERTIFICATION

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. I further understand that, should I decide in the future to reactivate my license(s), I will be required to satisfy, at a minimum, the additional requirements that would have been part of this Order had the license(s) not been placed in inactive status, as stated herein, as well as all then existing requirements for reactivation.

Signed this _16_ day of _April_, 20_21_.

Susan Flores
SUSAN FLORES, RESPONDENT

Sworn to and subscribed before me this _16th_ day of _April_, 20_21_.

SEAL

Diane Donsbach

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 16th day of April , 20 21 , by SUSAN FLORES, Registered Nurse License Number 554386, and Vocational Nurse License Number 101957, and said Agreed Order is final.

Effective this 8th day of June , 20 21 .

Katherine A. Thomas

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

BEFORE THE TEXAS BOARD OF NURSING

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In the Matter of	§	
Registered Nurse License Number 554386	§	AGREED ORDER
& Vocational Nurse License Number 101957	§	FOR
issued to SUSAN FLORES	§	KSTAR PROGRAM
	§	

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered

the matter of SUSAN FLORES, Registered Nurse License Number 554386, and Vocational Nurse

License Number 101957, 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 August 7, 2019.

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 Victoria College, Gonzales, Texas, on August 12, 1983. Respondent received an Associate Degree in Nursing from Austin Community College, Austin, Texas, on May 6, 1989. Respondent was licensed to practice vocational nursing in the State of Texas on November 30, 1983. Respondent was licensed to practice professional nursing in the State of Texas on August 25, 1989.

5. Respondent's nursing employment history includes:

11/83 – Unknown	LVN	Gonzales Memorial Hospital Gonzales, Texas
06/88 – 08/89	LVN	Guadalupe Valley Hospital Seguin, Texas
08/89 – 12/17	RN	Guadalupe Regional Medical Center Seguin, Texas
04/96 – 05/98	RN	McKenna Home Health Care New Braunfels, Texas
04/99 – 09/03	RN	Seguin Nursing & Rehabilitation Center Sequin, Texas
05/10 – present	Contracted RN	Draco Services, Inc. Austin, Texas

6. At the time of the initial incident, Respondent was employed as a Registered Nurse (RN) with Guadalupe Regional Medical Center, Seguin, Texas, and had been in that position for twenty-seven (27) years and six (6) months.

7. On or about February 10, 2017, through November 5, 2017, while employed with Guadalupe Regional Medical Center Hospice, Seguin, Texas, Respondent documented the following for Patients ER, PH, MV, MR, HN, KC, MG, EM, TR, VC, RB, FC, and JR: call back hours for the patients with visit notes with conflicting times or with no corresponding visit note; visit notes for this employer and another employer with overlapping visit times for the patients; a visit note for a patient when the visit was made by another nurse.

8. In response to Findings of Fact Numbers Seven (7), Respondent states it was common practice for all nurses, herself included, to make visits during the day and due to other emergencies requiring immediate attention, finish the electronic notes late in the office or at home. Respondent adds that she always made her supervisor aware when this occurred. Respondent admits she had a PRN job with Draco Services, but states this has never conflicted with her position at Guadalupe Regional. Regarding the visit for Patient LH, Respondent states she actually made the visit because she didn't want to wake up the LVN since the LVN had already been out for a prn visit.

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),(B)&(D) and 22 TEX. ADMIN. CODE §217.12(1)(A),(1)(B),(1)(C),(4), &(6)(H).

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 554386, and Vocational Nurse License Number 101957, heretofore issued to SUSAN FLORES.

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" 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. 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.

V. 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

VI. 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 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 _7_ day of _August_ 20 _19_ .

_____ .
SUSAN FLORES, Respondent

Sworn to and subscribed before me this _____ day of _____, 20____ .

     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 __7th__ day of __August__, 20__19__, by SUSAN FLORES, Registered Nurse License Number 554386, and Vocational Nurse License Number 101957, and said Agreed Order is final.

Effective this __10th__ day of __September__, 20__19__.

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