

# BEFORE THE TEXAS BOARD OF NURSING

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In the Matter of  
Registered Nurse License Number 758047  
issued to LILIANA ALMEDA

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AGREED ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of LILIANA ALMEDA, Registered Nurse License Number 758047, 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)(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 April 30, 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 professional nurse in the State of Texas is in current status.
4. Respondent received a Baccalaureate Degree in Nursing from University of the Incarnate Word, San Antonio, Texas, on May 10, 2008. Respondent was licensed to practice professional nursing in the State of Texas on July 15, 2008.
5. Respondent's nursing employment history includes:

7/2008 – 2/2011	Registered Nurse	Christus Santa Rosa Hospital San Antonio, Texas
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Respondent's nursing employment history continued:

3/2011 – 6/2017	Registered Nurse	Methodist Hospital San Antonio, Texas
7/2017	Unknown	
8/2017 – 8/2018	Registered Nurse	Christus Santa Rosa Hospital San Antonio, Texas
11/2017 – 6/2019	Registered Nurse	Audie L. Murphy Memorial Veterans Hospital San Antonio, Texas
6/2019 - Present	Registered Nurse	Healthtrust Workforce Solutions San Antonio, Texas
8/2019 - Unknown	RN Case Manager	Generous Homecare Management San Antonio, Texas

6. At the time of the initial incident, Respondent was employed as a Registered Nurse with Community Living Center at Audie L. Murphy Memorial Veterans Hospital, San Antonio, Texas, and had been in that position for one (1) year and one (1) month.
7. On or about December 7, 2018, while employed as a Registered Nurse in the Community Living Center at Audie L. Murphy Memorial Veterans Hospital, San Antonio, Texas, Respondent failed to administer medications to residents assigned to her care, including breathing treatments and pain medications. Further, at approximately three to four hours after the completion of her shift, Respondent inaccurately documented missed medications as "held," as opposed to "not given" with appropriate explanations. Respondent's conduct was likely to injure the patients in that failure to administer medications as ordered could have resulted in non-efficacious treatment. In addition, Respondent's conduct resulted in inaccurate medical records and was likely to injure the patients in that subsequent care givers would not have accurate records on which to base their decisions for further care.
8. On or about January 27, 2019, while employed as a Registered Nurse in the Community Living Center at Audie L. Murphy Memorial Veterans Hospital, San Antonio, Texas, Respondent failed to timely administer medications to a resident under her care. In addition, Respondent failed to document that she notified the physician that the resident had refused a medication, and Respondent documented a progress note on the resident four days later and failed to denote the note as a late entry. Respondent's conduct was likely to injure the patient in that failure to administer medications as ordered could have resulted in non-efficacious treatment. In addition, Respondent's conduct resulted in an inaccurate

medical record and was likely to injure the patient in that subsequent care givers would not have accurate records on which to base their decisions for further care.

9. In response to the incident in Finding of Fact Number Seven (7), Respondent states that the medication dispensing system on the unit was not working, of which management was aware, and she called pharmacy to request missing medications. Respondent states that medications were not administered because the patient was either off the unit, the medication was unavailable due to the technical problems with the medication dispensing system, or she held the medication because the patient had difficulty swallowing his medication. In response to the incident in Finding of Fact Number Eight (8), Respondent states that the patient had severe dysphagia and she had to wait until the patient was awake and alert enough to take his medication. Respondent states that she communicated with the physician when the physician called her regarding the patient's refusal to take medications, but she is unsure if she noted the time and with which physician she was speaking. Respondent states that she was not instructed to add "late entry" to a note addendum as she believed the date and time when the note addendum was added was sufficient.

### 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)(C),(1)(D)&(1)(N).
4. The evidence received is sufficient cause pursuant to Section 301.452(b)(13), Texas Occupations Code, to take disciplinary action against Registered Nurse License Number 758047, heretofore issued to LILIANA ALMEDA.
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. **A Board-approved course in nursing documentation** that shall be a minimum of six (6) hours in length. The course's content shall include: nursing standards related to accurate and complete documentation; legal guidelines for recording; methods and processes of recording; methods of alternative record-keeping; and computerized documentation. Home study courses and video programs will not be approved.
- C. **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.
- D. **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](http://www.bon.texas.gov/compliance).*

## V. 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. **Incident Reporting:** RESPONDENT SHALL CAUSE each employer to immediately submit any and all incident, counseling, variance, unusual occurrence, and medication or other error reports involving RESPONDENT, as well as documentation of any internal investigations regarding action by RESPONDENT, to the attention of Monitoring at the Board's office.
- 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.

**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) 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 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 16 day of June, 2021.

Liliana Almada  
LILIANA ALMEDA, RESPONDENT

Sworn to and subscribed before me this 16<sup>th</sup> day of June, 2021.

SEAL

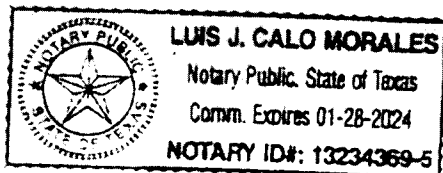
Luis J. Calo Morales

Notary Public in and for the State of Texas

Approved as to form and substance.

Alejandro Mora  
Alejandro Mora, Attorney for Respondent

Signed this 16 day of June, 2021.





WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Agreed Order that was signed on the 16th day of June, 2021, by LILIANA ALMEDA, Registered Nurse License Number 758047, and said Agreed Order is final.

Effective this 22nd day of July, 2021.

A handwritten signature in cursive script, reading "Katherine A. Thomas", is written over a horizontal line.

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