



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

In the Matter of § AGREED ORDER
Registered Nurse License Number 757962 §
issued to SANDY J. RAMON §
§

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of SANDY J. RAMON, Registered Nurse License Number 757962, 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), 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 May 20, 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 an Associate Degree in Nursing from Del Mar College, Corpus Christi, Texas, on May 28, 2008. Respondent was licensed to practice professional nursing in the State of Texas on July 10, 2008.
5. Respondent's nursing employment history includes:

07/2008 – 10/2013 RN Bay Area Medical Center
Corpus Christi, Texas

Respondent's nursing employment history continued:

08/2011 – 02/2012	RN	Corpus Christi State Supported Living Center Corpus Christi, Texas
07/2012 – 10/2013	RN	Corpus Christi Medical Center Corpus Christi, Texas
11/2013 – 12/2013	Unknown	
01/2014 – 02/2014	RN	APC Home Health Service, Inc. Harlingen, Texas
03/2014 – 07/2014	Unknown	
08/2014 – 07/2015	RN	New Century Hospice Corpus Christi, Texas
03/2015 – 05/2015	RN	Corpus Christi Nursing and Rehabilitation Corpus Christi, Texas
08/2015 – 09/2015	Unknown	
10/2015 – 04/2017	RN	Bay Area Quick Care Corpus Christi, Texas
04/2017 – 12/2018	RN	Texas Precision Surgery Center Corpus Christi, Texas
12/2018 - Present	RN	South Texas Surgical Hospital Corpus Christi, Texas

6. On or about April 7, 2016, Respondent's license to practice nursing in the State of Texas was Suspended and Respondent was required to successfully complete the Texas Peer Assistance Program for Nurses (TPAPN) through an Order of the Board. On or about May 10, 2018, Respondent successfully completed the terms of the Order. A copy of the April 7, 2016, Order is attached and incorporated herein by reference as part of this Agreed Order.
7. On or about December 5, 2018, while employed as a Registered Nurse with Texas Precision Surgery Center, Corpus Christi, Texas, Respondent ordered two hundred (200) Zolpidem 5mg tablets and the medication was not added to the medication to inventory. Respondent's conduct was likely to mislead or confuse the facility.

8. In response to Finding of Fact Number Seven (7), Respondent states she accidentally ordered two (2) bottles of Zolpidem instead of Zofran. Respondent states she tried to cancel the order and told the material's manager that she ordered the wrong medication. Respondent states she never physically saw the Zolpidem.
9. Respondent presented for a forensic psychological evaluation on May 10, 2019, with Dr. Troy Martinez. Dr. Martinez states Respondent has a history of Ambien abuse. Dr. Martinez states Respondent acknowledges she placed a large order for medication, which included an erroneous prescription for Ambien, shortly before her departure with the facility. Dr. Martinez states findings do capture the drug abuse in the past but offer no compelling indications of active or ongoing drug use. However, Dr. Martinez states it seems to be a risky endeavor at this point for Respondent to still take prescribed Ambien given her past struggles with this medication. Dr. Martinez finds "I see no concerns about professional fitness relative to her fitness and capacity applicable just prior to these unsubstantiated allegations." Additionally, Sgt. Larry Serna conducted a polygraph test (lie detector) and no deception was detected.
10. Formal Charges were filed on December 5, 2019.

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 (1)(A),(1)(B),(4)(6)(G),(8),(10)(E)&(11)(B).
4. The evidence received is sufficient cause pursuant to Section 301.452(b)(10), Texas Occupations Code, to take disciplinary action against Registered Nurse License Number 757962, heretofore issued to SANDY J. RAMON.
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 Registered Nurse License Number 757962, previously issued to SANDY J. RAMON, to practice nursing in the State of Texas is/are hereby **SUSPENDED** and said suspension is **STAYED** and RESPONDENT is hereby placed on **PROBATION** for a minimum of three (3) years **AND** until RESPONDENT fulfills the additional requirements 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. **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.*

V. MONETARY FINE

RESPONDENT SHALL **pay a monetary fine in the amount of five hundred dollars (\$500.00) 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 twelve (12) quarterly periods [three (3) years] of employment. This requirement will not be satisfied until twelve (12) 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. **No Administration of Controlled Medications:** For the first year [four (4) quarters] of employment as a Nurse under this Order, RESPONDENT SHALL NOT administer or have any contact with controlled substances, Nubain, Stadol, Dalgan, Ultram, Propofol, or other synthetic opiates.
- D. **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.

- E. **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.
- F. **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 twelve (12) quarters [three (3) years] of employment as a nurse.

VII. DRUG AND ALCOHOL RELATED REQUIREMENTS

- A. **While under the terms of this Order, RESPONDENT SHALL abstain from the use of alcohol, nalbuphine, propofol and all controlled substances**, except as prescribed by a licensed practitioner for a legitimate purpose. If prescribed, RESPONDENT SHALL CAUSE the licensed practitioner to submit a written report identifying the medication, dosage and the date the medication was prescribed. The report shall be submitted directly to the office of the Board by the prescribing practitioner, within ten (10) days of the date of the prescription. In the event that the prescriptions for controlled substances are required for periods of two (2) weeks or longer, the Board may require and RESPONDENT SHALL submit to a pain management and/or chemical dependency evaluation by a Board approved evaluator. The performing evaluator must submit a written report meeting the Board's requirements to the Board's office within thirty (30) days from the Board's request.

B. While working as a nurse under the terms of this Order, RESPONDENT SHALL submit to random periodic screens for alcohol, nalbuphine, propofol and all controlled substances. The Board will provide instructions on how to enroll in the Board's drug and alcohol testing program following the entry of this Order and screening will begin when RESPONDENT obtains employment and submits the Notification of Employment form to the Board.

- For the first three (3) month [1st quarter] period RESPONDENT works as a nurse under the terms of this Order, random screens shall be performed at least once per week.
- For the next three (3) month [2nd quarter] period, random screens shall be performed at least twice per month.
- For the next six (6) month period [3rd & 4th quarters], random screens shall be performed at least once per month.
- For the remainder of the probation period, if any, random screens shall be performed at least once every three (3) month quarterly period.

All random screens SHALL BE conducted through urinalysis. Any test result for a period of time in which the RESPONDENT is not working as a nurse under the terms of this Order will not count towards satisfaction of this requirement. All screens shall be properly monitored and produced in accordance with the Board's policy on Random Drug Testing. A complete chain of custody shall be maintained for each specimen obtained and analyzed. RESPONDENT SHALL be responsible for the costs of all random drug screening during the stipulation/probation period.

Specimens shall be screened for any or all of the following substances and/or their metabolites:

Amphetamine	Methamphetamine	MDMA
MDA	Alprazolam	Diazepam
Alpha-o-alprazolam	Alpha-Hydroxytriazolam	Clonazepam
Desmethyldiazepam	Lorazepam	Midazolam
Oxazepam	Temazepam	Amobarbital
Butabarbital	Butalbital	Pentobarbital
Phenobarbital	Secobarbital	Codeine
Hydrocodone	Hydromorphone	Methadone
Morphine	Opiates	Oxycodone
Oxymorphone	Propoxyphene	Cannabinoids
Cocaine	Phencyclidine	Ethanol
Heroin	Fentanyl	Tramadol
Meperidine	Carisoprodol	Butorphanol
Nalbuphine	Ketamine	Propofol
<u>Zolpidem</u>		

Upon enrollment in the Board's drug and alcohol testing program, RESPONDENT SHALL, on a daily basis, call or login online to the Board's

designated drug and alcohol testing vendor to determine whether or not RESPONDENT has been selected to produce a specimen for screening that day and SHALL, if selected, produce a specimen for screening that same day at an approved testing location and/or comply with any additional instructions from the vendor or Board staff. Further, **a Board representative may appear** at the RESPONDENT'S place of employment at any time during the probation period and require RESPONDENT to produce a specimen for screening.

Consequences of Positive or Missed Screens. Any positive result for which RESPONDENT does not have a valid prescription or refusal to submit to a drug or alcohol screen may subject RESPONDENT to further disciplinary action, including TEMPORARY SUSPENSION pursuant to Section 301.4551, Texas Occupations Code, or REVOCATION of Respondent's license(s) and nurse licensure compact privileges, if any, to practice nursing in the State of Texas. Further, failure to report for a drug screen, excessive dilute specimens, or failure to call in for a drug screen may be considered the same as a positive result or refusal to submit to a drug or alcohol screen.

VIII. SUBSEQUENT CRIMINAL PROCEEDINGS

IT IS FURTHER AGREED, should the RESPONDENT'S conduct, as outlined in the findings of fact of this Agreed Order, result in subsequent judicial action, including a deferred disposition, RESPONDENT may be subject to further disciplinary action, up to, and including, revocation of RESPONDENT'S license(s) to practice nursing in the State of Texas.

IX. 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.

X. 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

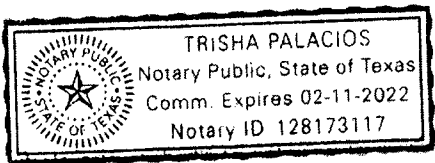
I understand that I have the right to legal counsel prior to signing this Order. I have reviewed this Order. I neither admit nor deny the violation(s) alleged herein. By my signature on this Order, I agree to the entry of this Order, and any conditions of said Order, to avoid further disciplinary action 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 21 day of May, 2021.

Sandy Ramon
SANDY J RAMON, RESPONDENT

Sworn to and subscribed before me this 21st day of May, 2021.

SEAL



Notary Public in and for the State of Texas


Approved as to form and substance.

Joe Flores
Joe Flores, Attorney for Respondent

Signed this 21 day of May, 2021.

WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Agreed Order that was signed on the 21st day of May, 2021, by SANDY J RAMON, Registered Nurse License Number 757962, and said Agreed Order is final.

Effective this 22nd day of July, 2021.



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.
Katherine A. Thomas
Executive Director of the Board

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of § AGREED
Registered Nurse License Number 757962 §
issued to SANDY J. RAMON § ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of SANDY J. RAMON, Registered Nurse License Number 757962, 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)(9),(10),(12)&(13), Texas Occupations Code. Respondent waived notice and hearing and agreed to the entry of this Order approved by Katherine A. Thomas, MN, RN, FAAN, Executive Director, on March 23, 2016.

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 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 from Del Mar College, Corpus Christi, Texas, on May 28, 2008. Respondent was licensed to practice professional nursing in the State of Texas on July 10, 2008.
5. Respondent's professional nursing employment history includes:

7/2008 - 9/2008	Unknown
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Respondent's professional nursing employment history continued:

10/2008 - 10/2013	RN	Bay Area Hospital Corpus Christi, Texas
8/2011 - 1/2012	RN	Corpus Christi State School Corpus Christi, Texas
7/2012 - 10/2013	RN	Corpus Christi Medical Center Corpus Christi, Texas
11/2013 - 12/2013	Unknown	
1/2014 - 2/2014	RN	APC Home Health Service, Inc. Harlingen, Texas
3/2014 - 9/2014	Unknown	
10/2014 - 1/2015	RN	New Century Hospice Corpus Christi, Texas
2/2015	Unknown	
3/2015 - 5/2015	RN	Corpus Christi Nursing and Rehabilitation Center Corpus Christi, Texas
6/2015 - Present	Unknown	

6. At the time of the initial incident, Respondent was employed as a Registered Nurse with Corpus Christi Medical Center, Corpus Christi, Texas, and had been in that position for one (1) year and three (3) months.
7. On or about October 10, 2013, while employed as a Registered Nurse with Corpus Christi Medical Center, Corpus Christi, Texas, Respondent misappropriated prescription pads belonging to the facility. Respondent's conduct was likely to defraud the facility of the cost of the prescription pads.
8. On or about October 10, 2013, while employed as a Registered Nurse with Corpus Christi Medical Center, Corpus Christi, Texas, Respondent wrote an unauthorized, fraudulent prescription for thirty (30) tablets of Ambien 10mg with two (2) refills while using the provider name of R. Vega, MD. Respondent's conduct was likely to deceive a pharmacy and possession of Ambien through use of an unauthorized, fraudulent prescription is prohibited by Chapter 481 of the Texas Health and Safety Code (Controlled Substances Act).

9. On or about January 10, 2014, through February 10, 2014, while employed as a Registered Nurse with APC Home Health Care, Corpus Christi, Texas, Respondent passed and/or attempted to pass unauthorized, fraudulent, telephonically communicated prescriptions for Zolpidem to Walgreens Pharmacy, Corpus Christi, Texas, and HEB Pharmacy, Corpus Christi, Texas. Respondent's conduct was likely to deceive the pharmacies and possession of Zolpidem through use of an unauthorized, fraudulent telephonically communicated prescription is prohibited by Chapter 481 of the Texas Health and Safety Code (Controlled Substances Act).
10. On or about January 23, 2014, Respondent was arrested by the Corpus Christi Police Department, Corpus Christi, Texas, and subsequently, charged under Cause No. 14-CR-0263-A for FRAUD PRESCRIPTION SCHEDULE II/III, a State Jail felony offense committed on or about December 17, 2013. On or about September 25, 2015, Respondent entered into an agreement to participate in the Nueces County Divert Court Program for a period of one (1) year and/or until released by the Court, beginning January 9, 2015. On or about February 5, 2016, Cause No. 14-CR-0263-A was dismissed after Respondent successfully completed the Nueces County Divert Court Program.
11. On or about February 18, 2014, through March 8, 2014, Respondent passed and/or attempted to pass unauthorized, fraudulent, telephonically communicated prescriptions for Zolpidem to Walgreens Pharmacy, Corpus Christi, Texas, and HEB Pharmacy in Aransas Pass, Texas, and Corpus Christi, Texas. Respondent's conduct was likely to deceive the pharmacy and possession of Zolpidem through use of an unauthorized, fraudulent telephonically communicated prescription is prohibited by Chapter 481 of the Texas Health and Safety Code (Controlled Substances Act).
12. On or about February 19, 2014, Respondent was arrested by the Corpus Christi Police Department, Corpus Christi, Texas, and subsequently charged under Cause No. 14-CR-1371-A for FRAUD POSSESSION CONTROLLED SUBSTANCE PRESCRIPTION SCHEDULE III/IV, a 3rd Degree felony offense committed on or about February 18, 2014. On or about January 9, 2015, Respondent entered into an agreement to participate in the Nueces County Divert Court Program for a period of one (1) year and/or until released by the Court, beginning January 9, 2015. On or about February 5, 2016, Cause No. 14-CR-1371-A was dismissed after Respondent successfully completed the Nueces County Divert Court Program.
13. On or about March 6, 2014, Respondent lacked fitness to practice as a professional nurse in that she provided a letter to the Texas Board of Nursing indicating that she has been on prescribed Ambien for several years, but she increased her dosages throughout the night following an assault. Respondent adds that in February 2014, she admitted herself to the hospital for detox from Ambien. Immediately after, she entered a daily out-patient program and then a thirty (30) day in-patient program to completely and safely stop taking Ambien, and to receive the counseling and therapy she needed. Respondent's condition could have

affected her ability to recognize subtle signs, symptoms or changes in patients' conditions, and could have affected her ability to make rational, accurate, and appropriate assessments, judgments, and decisions regarding patient care, thereby placing the patients in potential danger.

14. On or about July 2, 2014, Respondent was arrested by the Corpus Christi Police Department, Corpus Christi, Texas, and subsequently charged under Cause No. 14-CR-2334-A for FRAUD POSSESSION CONTROLLED SUBSTANCE PRESCRIPTION SCHEDULE II/III, a State Jail felony offense committed on or about June 3, 2014. On or about January 9, 2015, Respondent entered into an agreement to participate in the Nueces County Divert Court Program for a period of one (1) year and/or until released by the Court, beginning January 9, 2015. On or about February 5, 2016, Cause No. 14-CR-2334-A was dismissed after Respondent successfully completed the Nueces County Divert Court Program.
15. On or about August 7, 2014, Respondent was charged under Cause No. 14-CR-2785-A for FRAUD POSSESSION CONTROLLED SUBSTANCE PRESCRIPTION SCHEDULE III/IV, a 3rd Degree felony offense committed on or about October 10, 2013. On or about January 9, 2015, Respondent entered into an agreement to participate in the Nueces County Divert Court Program for a period of one (1) year and/or until released by the Court, beginning January 9, 2015. On or about February 5, 2016, Cause No. 14-CR-2785-A was dismissed after Respondent successfully completed the Nueces County Divert Court Program.
16. On or about January 22, 2015, while employed as a Registered Nurse with New Century Hospice, Corpus Christi, Texas, Respondent passed and/or attempted to pass unauthorized, fraudulent, telephonically communicated prescriptions for Zolpidem to Nichols Southside Pharmacy, Corpus Christi, Texas. Respondent's conduct was likely to deceive the pharmacy and possession of Zolpidem through use of an unauthorized, fraudulent telephonically communicated prescription is prohibited by Chapter 481 of the Texas Health and Safety Code (Controlled Substances Act).
17. On or about February 3, 2015, while participating in the Texas Peer Assistance Program for Nurses (TPAPN), Respondent engaged in the intemperate use of Tramadol in that she provided a random drug screen which resulted positive for Tramadol. Respondent further admitted to taking her mother's Tramadol. Possession of Tramadol, without a valid prescription, is prohibited. Possession of Tramadol is prohibited by Chapter 481 of the Texas Health & Safety Code (Controlled Substances Act). The use of Tramadol by a Registered Nurse, while subject to call or duty, could impair the nurse's ability to recognize subtle signs, symptoms or changes in the patient's condition, and could impair the nurse's ability to make rational, accurate, and appropriate assessments, judgments, and decisions regarding patient care, thereby placing the patient in potential danger.

18. On or about May 1, 2015, while employed as a Registered Nurse with Corpus Christi Nursing and Rehabilitation Center, Corpus Christi, Texas, Respondent attempted to pass an unauthorized, fraudulent, telephonically communicated prescription for Ambien to Walgreens Pharmacy, Corpus Christi, Texas. Respondent's conduct was likely to deceive the pharmacy and possession of Ambien through use of an unauthorized, fraudulent telephonically communicated prescription is prohibited by Chapter 481 of the Texas Health and Safety Code (Controlled Substances Act).
19. On or about July 29, 2015, while participating in the Texas Peer Assistance Program for Nurses (TPAPN), Respondent engaged in the intemperate use of Zolpidem (Ambien) in that she provided a specimen for a random drug screen which resulted positive for Zolpidem. Possession of Zolpidem is prohibited by Chapter 481 of the Texas Health & Safety Code (Controlled Substances Act). The use of Zolpidem by a Registered Nurse, while subject to call or duty, could impair the nurse's ability to recognize subtle signs, symptoms or changes in the patient's condition, and could impair the nurse's ability to make rational, accurate, and appropriate assessments, judgments, and decisions regarding patient care, thereby placing the patient in potential danger.
20. In response to Findings of Fact Numbers Nine (9) through Sixteen (16) and Eighteen (18), Respondent states she would like the Board to know she is 100% focused and committed to recovery from her substance abuse and emotional issues. She has no words to express how deeply sorry and ashamed she is that she allowed herself to become so controlled by her addiction. Nursing was a core part of her identity. There is nothing she would not be willing to do if it meant being able to recover that privilege one day.
21. Respondent states that as of April 1, 2016, she had obtained eight (8) months continued sobriety, and provided verifiable evidence of negative urine drug screens from August 3, 2015, to January 25, 2016. Respondent also provided a letter of support from Doug Downey, LCDC, indicating Respondent has remained focused on her recovery. Respondent also provided evidence of completion of a relapse prevention program. Respondent also provided a letter from Probation Officer Elizabeth Davila indicating Respondent completed the Nueces County Divert Program on February 5, 2016, and has been sober since August 2015. Ms. Davila also stated that Respondent completed intensive outpatient treatment, that included random urinalysis, attended 14 relapse prevention groups, 6 peer support groups, and was subjected to multiple unannounced home visits.
22. The Board finds that there exists serious risks to public health and safety as a result of impaired nursing care due to intemperate use of controlled substances or chemical dependency.
23. Formal Charges were filed on July 21, 2015.
24. Formal Charges were mailed to Respondent on July 27, 2015.

25. Respondent's conduct as described in the preceding Finding(s) of Fact was reportable under the provisions of Sections 301.401-301.419, Texas Occupations Code.
26. Respondent's conduct as described in the preceding Finding(s) of Fact resulted from or was significantly influenced by Respondent's substance use disorder.
27. The Board finds that there exists serious risks to public health and safety as a result of impaired nursing care due to intemperate use of controlled substances or substance use disorder.
28. Respondent'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. 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) and 22 TEX. ADMIN. CODE §217.12(1)(A),(1)(B),(4),(5),(6)(G), (10)(A),(10)(D),(10)(E),(11)(B)&(13).
4. The evidence received is sufficient cause pursuant to Section 301.452(b)(9),(10),(12)&(13), Texas Occupations Code, to take disciplinary action against Registered Nurse License Number 757962, heretofore issued to SANDY J. RAMON, including revocation of Respondent's license(s) to practice nursing in the State of Texas.
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.
6. \ The Board may, in its discretion, order a nurse to participate in a peer assistance program approved by the Board if the nurse would otherwise have been eligible for referral to peer assistance pursuant to Section 301.410, Texas Occupations Code.

TERMS OF ORDER

1. SANCTION AND APPLICABILITY

IT IS THEREFORE AGREED and ORDERED, subject to ratification by the Texas Board of Nursing, that Registered Nurse License Number 757962, previously issued to SANDY J.

RAMON, to practice nursing in Texas is hereby **SUSPENDED** and said suspension is **ENFORCED** until Respondent:

- A. Applies to, is accepted into, and completes enrollment in the Texas Peer Assistance Program for Nurses (TPAPN), including payment of a non-refundable participation fee in the amount of five hundred dollars (\$500.00); and
- B. Waives confidentiality and provides a copy of the fully executed TPAPN participation agreement to the Board.

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 such a time as is required for RESPONDENT to successfully complete the TPAPN AND until Respondent fulfills the additional requirements of this Order.

- C. 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.
- D. RESPONDENT 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 current.
- E. RESPONDENT SHALL CAUSE the TPAPN to notify the Texas Board of Nursing of any violation of the TPAPN participation agreement.
- F. This Order SHALL apply to any and all future licenses issued to Respondent to practice nursing in the State of Texas.
- G. This Order SHALL be applicable to Respondent's nurse licensure compact privileges, if any, to practice nursing in the State of Texas.
- H. Respondent may not work outside the State of Texas in another nurse licensure compact party state without first obtaining the written permission of the Texas Board of Nursing and the Board of Nursing in the nurse licensure compact party state where Respondent wishes to work.

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 Nurse Education, Licensure and Practice, 22 TEX. ADMIN. CODE §§211.1 *et seq.*, and this Order.

III. 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:

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 courses and video programs will not be approved.

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.*

IV. FURTHER COMPLAINTS

If, during the period of probation, an additional allegation, accusation, or petition is reported or filed against the 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.

V. EFFECT OF NONCOMPLIANCE

SHOULD RESPONDENT 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 Respondent'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 Order, all encumbrances will be removed from RESPONDENT'S license(s) to practice nursing in the State of Texas and 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 Agreed Order. I waive representation by counsel. I have reviewed this Order. I neither admit nor deny the violation(s) alleged herein. I do acknowledge possessing a diagnosis that deems me eligible to participate in the Texas Peer Assistance Program for Nurses. By my signature on this Order, I agree to the entry of this Order and all conditions of said Order to obtain disposition of the allegations through peer assistance and to avoid further disciplinary action in this matter. I waive judicial review of this Order. I understand that this Order becomes effective upon acceptance by the Executive Director on behalf of the Texas Board of Nursing, and a copy will be mailed to me. 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 revocation of my license(s) to practice nursing in the State of Texas, as a consequence of my noncompliance.

Signed this 7 day of April, 2016
Sandy Ramon
SANDY J. RAMON, Respondent

Sworn to and subscribed before me this 7th day of April, 2016.

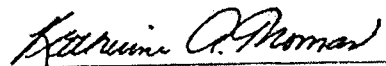
SEAL

San Ora Cardona
Notary Public in and for the State of Texas



WHEREFORE, PREMISES CONSIDERED, the Executive Director, on behalf of the Texas Board of Nursing, does hereby ratify and adopt the Agreed Order that was signed on the 7th day of April, 2016, by SANDY J. RAMON, Registered Nurse License Number 757962, and said Order is final.

Effective this 7th day of April, 2016.



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