

**In the Matter of  
Permanent Vocational Nurse  
License Number 157668  
Issued to EDUARDO RAMIREZ,  
Respondent**

**§ BEFORE THE TEXAS  
§  
§ BOARD OF NURSING  
§  
§ ELIGIBILITY AND  
DISCIPLINARY COMMITTEE**

**ORDER OF THE BOARD**

TO: Eduardo Ramirez  
c/o Anthony Cornejo, Attorney At Law  
905 East Jackson St.  
Brownsville, TX 78520

During open meeting held in Austin, Texas, on August 10, 2021, the Texas Board of Nursing Eligibility and Disciplinary Committee (hereinafter "Committee") heard the above-styled case, based on the failure of the Respondent to appear as required by 22 TEX. ADMIN. CODE Ch. 213.

The Committee finds that notice of the facts or conduct alleged to warrant disciplinary action has been provided to Respondent in accordance with Texas Government Code § 2001.054(c) and Respondent has been given an opportunity to show compliance with all the requirements of the Nursing Practice Act, Chapter 301 of the Texas Occupations Code, for retention of Respondent's license(s) to practice nursing in the State of Texas.

The Committee finds that the Formal Charges were properly initiated and filed in accordance with section 301.458, Texas Occupations Code.

The Committee finds that after proper and timely Notice regarding the violations alleged in the Formal Charges was given to Respondent in this matter, Respondent has failed to appear in accordance with 22 TEX. ADMIN. CODE Ch. 213.

The Committee finds that the Board is authorized to enter a default order pursuant to Texas Government Code § 2001.056.

The Committee, after review and due consideration, adopts the proposed findings of fact and conclusions of law as stated in the Formal Charges which are attached hereto and incorporated by

reference for all purposes and the Staff's recommended sanction of revocation by default. This Order will be properly served on all parties and all parties will be given an opportunity to file a motion for rehearing [22 TEX. ADMIN. CODE § 213.16(j)]. All parties have a right to judicial review of this Order.

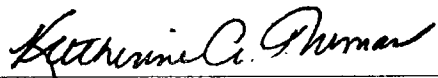
All proposed findings of fact and conclusions of law filed by any party not specifically adopted herein are hereby denied.

NOW, THEREFORE, IT IS ORDERED that Permanent Vocational Nurse License Number 157668, previously issued to EDUARDO RAMIREZ to practice nursing in the State of Texas be, and the same is/are hereby, REVOKED.

IT IS FURTHER ORDERED that this Order SHALL be applicable to Respondent's nurse licensure compact privileges, if any, to practice nursing in the State of Texas.

Entered this 10<sup>th</sup> day of August, 2021

TEXAS BOARD OF NURSING

BY: 

KATHERINE A. THOMAS, MN, RN, FAAN  
EXECUTIVE DIRECTOR ON BEHALF OF SAID BOARD

Attachment: Formal Charges filed February 25, 2021

d17r(2021.06.17)

CERTIFICATE OF SERVICE

I hereby certify that on the 12<sup>th</sup> day of August, 2021, a true and correct copy of the foregoing DEFAULT ORDER was served and addressed to the following person(s), as follows:

Via USPS Certified Mail, Return Receipt Requested,  
Copy Via USPS First Class Mail

Eduardo Ramirez  
c/o Anthony Cornejo, Attorney At Law  
905 East Jackson St.  
Brownsville, TX 78520

BY: 

KATHERINE A. THOMAS, MN, RN, FAAN  
EXECUTIVE DIRECTOR ON BEHALF OF SAID BOARD

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### FORMAL CHARGES

This is a disciplinary proceeding under Section 301.452(b), Texas Occupations Code. Respondent, EDUARDO RAMIREZ, is a Vocational Nurse holding license number 157668 which is in current status at the time of this pleading.

Written notice of the facts and conduct alleged to warrant adverse licensure action was sent to Respondent at Respondent's address of record and Respondent was given opportunity to show compliance with all requirements of the law for retention of the license prior to commencement of this proceeding.

#### CHARGE I.

On or about April 5, 2020, while employed as a Licensed Vocational Nurse (LVN) with Little Miracles Home Health, Harlingen, Texas, and providing care to Patient MT, Respondent failed to appropriately preform tracheal suctioning when he left the catheter in the patient's trach for an extended amount of time. Respondent's conduct could have obstructed the patient's airway causing them to be unable to breath.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(10)&(13), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.11 (1)(A),(1)(B)&(1)(C) and 22 TEX. ADMIN. CODE §217.12(1)(A),(1)(B)&(4).

#### CHARGE II.

On or about April 5, 2020, through April 6, 2020, while employed as a Licensed Vocational Nurse (LVN) with Little Miracles Home Health, Harlingen, Texas, and providing care to Patient MT, Respondent abused Patient MT when he slapped, hit, shook and forcefully pushed on the patient. Additionally, Respondent inappropriately and aggressively cleaned the patient's genital area. Furthermore, all was recorded on video. Respondent's conduct was likely to cause emotional, physical, and/or psychological harm to the patient and could have interfered or disrupted this patient's treatment.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(10)&(13), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.11 (1)(A),(1)(B)&(1)(C) and 22 TEX. ADMIN. CODE §217.12(1)(A),(1)(B),(4)&(6)(C).

NOTICE IS GIVEN that staff will present evidence in support of the recommended disposition of up to, and including, revocation of Respondent's license(s) and/or privilege(s) to practice nursing in the State of Texas pursuant to the Nursing Practice Act, Chapter 301, Texas Occupations Code and the Board's rules, 22 TEX. ADMIN. CODE §§ 213.27 - 213.33.

NOTICE IS GIVEN that all statutes and rules cited in these Charges are incorporated as part of this pleading and can be found at the Board's website, [www.bon.texas.gov](http://www.bon.texas.gov).

NOTICE IS GIVEN that, based on the Formal Charges, the Board will rely on the Disciplinary Matrix, located at 22 TEX. ADMIN. CODE §213.33(b), which can be found under the "Discipline & Complaints; Board Policies & Guidelines" section of the Board's website, [www.bon.texas.gov](http://www.bon.texas.gov).

Filed this 25th day of February, 2021.

TEXAS BOARD OF NURSING



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State Bar No. 10838300

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