



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
Vocational Nurse License Number 335106
issued to DARLA SUE SOTELO

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AGREED ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of DARLA SUE SOTELO, Vocational Nurse License Number 335106, 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 May 14, 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 current status.
4. Respondent received a Certificate in Vocational Nursing from Career Point College, San Antonio, Texas, on July 23, 2016. Respondent was licensed to practice vocational nursing in the State of Texas on November 17, 2016.
5. Respondent's nursing employment history includes:

11/2016

Unknown

Respondent's nursing employment history continued:

12/2016 – 4/2017	LVN	Regent Care Center of San Antonio San Antonio, TX
3/2017 – 10/2017	LVN	TruCare Living Center Selma, TX
Unknown – Present	LVN	Silvertree Nursing & Rehab Schertz, TX

6. At the time of the initial incident, Respondent was employed as a Licensed Vocational Nurse with TruCare Living Center, Selma, Texas, and had been in that position for seven (7) months.
7. On or about October 12, 2017, while employed with TruCare Living Centers, Selma, Texas, Respondent failed to check the blood glucose levels of multiple patients. Respondent's conduct unnecessarily exposed the patients to a risk of harm from complications associated with untreated high or low blood sugar.
8. On or about October 12, 2017, while employed with TruCare Living Centers, Selma, Texas, Respondent signed-out scheduled narcotics early for multiple patients. Additionally, Respondent placed the narcotics into medication cups and left the cups in the top drawer of the medication cart. Further, Respondent documented that she signed-out the narcotics at the correct scheduled time. Respondent's conduct unnecessarily exposed the patients to a risk of harm from receiving the incorrect medication, created inaccurate medical records, and was likely to injure the patients in that subsequent care givers would not have reliable information on which to base their care decisions.
9. On or about October 12, 2017, while employed with TruCare Living Centers, Selma, Texas, Respondent removed meclizine for Patients AS & BF without a physician's order after the patients continued to complain of pain. Respondent's conduct unnecessarily exposed the patients to risk of harm from medication administered without the benefit of a physician's expertise. Additionally, Respondent's conduct was likely to injure the patients in that failing to administer narcotics as ordered by the physician could result in the patients suffering from adverse reactions.
10. On or about November 14, 2017, Respondent successfully completed a course in sharpening critical thinking skills, which would have been a requirement of this order.
11. On or about November 16, 2017, Respondent successfully completed a Texas nursing jurisprudence and ethics course, which would have been a requirement of this order.

12. In response to Findings of Fact Number Seven (7) and Eight (8), Respondent admits and states she had continuously asked for help. Respondent states she was told another nurse would help with glucose readings but that nurse didn't come until after lunch. Respondent explains she knows it wasn't best practice to pull scheduled medications early but she was trying to get back on track with tasks and never got the support or guidance she requested as a new nurse. In response to Findings of Fact Number Nine (9), Respondent states she did pull meclizine but she did not intend to give the medication without the doctor's order/approval. Respondent explains that she was trying to get caught up and at the time thought she was being pro-active. Respondent states she knows now that she should not have done what she did. Respondent explains that she has not and will not do it again.

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)(M)&(1)(T) and 22 TEX. ADMIN. CODE §217.12 (1)(A),(1)(B),(1)(C),(4),(6)(H)&(11)(B).
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 335106, heretofore issued to DARLA SUE SOTELO.
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 **REMEDIAL EDUCATION** 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 medication administration** with a didactic portion of not less than six (6) hours and a clinical component of not less than twenty-four (24) hours. Both the didactic and clinical components must be provided by the

same Registered Nurse. The course's content shall include: a review of proper administration procedures for all standard routes; computation of drug dosages; the six (6) rights of medication administration; factors influencing the choice of route; and possible adverse effects resulting from improper administration. The clinical component SHALL focus on tasks of medication administration only. The course description shall indicate goals and objectives for the course, resources to be utilized, and the methods to be used to determine successful completion of the course. Successful completion of this course requires RESPONDENT to successfully complete both the didactic and clinical portions of the course.

- 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.

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. 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 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 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 possible revocation of my license(s) and/or privileges to practice nursing in the State of Texas, as a consequence of my noncompliance.

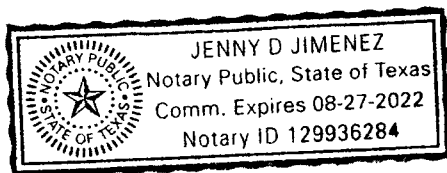
Signed this 27 day of August, 2021.

Darla Sue Sotelo
DARLA SUE SOTELO, RESPONDENT

Sworn to and subscribed before me this 27 day of August, 2021.

SEAL

Jenny D. Jimenez
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 27th day of August, 2021, by DARLA SUE SOTELO, Vocational Nurse License Number 335106, and said Agreed Order is final.

Effective this 30th day of August, 2021.

A handwritten signature in black ink, appearing to read "Katherine A. Thomas".

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