



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

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In the Matter of  
Registered Nurse License Number 772613  
issued to REGINA AVILA

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AGREED ORDER  
FOR  
KSTAR PROGRAM

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of REGINA AVILA, Registered Nurse License Number 772613, 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 for KSTAR Program approved by Katherine A. Thomas, MN, RN, FAAN, Executive Director, on June 8, 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 for KSTAR Program.
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 Cisco Junior College, Cisco, Texas, on May 9, 2008. Respondent received a Baccalaureate Degree in Nursing from Chamberlain College of Nursing, Addison, Illinois, on April 23, 2017. Respondent was licensed to practice professional nursing in the State of Texas on July 14, 2009.

5. Respondent's nursing employment history includes:

7/2009 – 1/2010	Registered Nurse	United Blood Services Lubbock, Texas
1/2010 – 4/2010	Registered Nurse	Beyond Faith Home Health Lubbock, Texas
Unknown	Registered Nurse	Calvert Home Health Lubbock, Texas
12/2011 – 2/2014	Registered Nurse	South Plains Endoscopy Center Lubbock, Texas
3/2014	Unknown	
4/2014 – 12/2014	Registered Nurse	Cuidado Casero Home Health Austin, Texas
12/2014 – 1/2015	Registered Nurse	Cuidado Casero Home Health Lubbock, Texas
2/2015 – Unknown	Registered Nurse	Covenant Medical Center Lubbock, Texas
4/2018 – 6/2018	Registered Nurse	Covenant Outpatient Infusion Center Lubbock, Texas
Unknown	Registered Nurse	West Texas Digestive Disease Center Lubbock, Texas
5/2019 - Present	Registered Nurse	D&S Community Services Lubbock, Texas

6. At the time of the initial incident, Respondent was employed as a Registered Nurse with Covenant Outpatient Infusion Center, Lubbock, Texas, and had been in that position for one (1) week.

7. On or about May 2, 2018, while employed as a Registered Nurse with Covenant Outpatient Infusion Center, Lubbock, Texas, Respondent failed to wear a mask as required for sterile technique when changing the dressing on a patient's central line. Respondent's conduct was likely to injure the patient in that it exposed the patient to the risk of infectious pathogens and a central line-associated bloodstream infection.

8. On or about May 17, 2018, while employed as a Registered Nurse with Covenant Outpatient Infusion Center, Lubbock, Texas, Respondent administered an intravenous medication to Patient PA0083743115 at the wrong infusion rate. Respondent's conduct was likely to injure the patient in that failure to administer medications as ordered could have resulted in non-efficacious treatment.
9. On or about June 20, 2018, while employed as a Registered Nurse with Covenant Outpatient Infusion Center, Lubbock, Texas, Respondent failed to verify the physician's order, including rate of infusion, prior to administering intravenous medication to a patient. In addition, Respondent failed to observe safety precautions when she failed to recap a needle when she left the room to obtain additional supplies. Respondent's conduct was likely to injure the patient in that failure to observe safety protocols could have placed a patient at risk of receiving medication at an incorrect rate or exposure to infectious pathogens.
10. In response to the incident in Finding of Fact Number Seven (7), Respondent admits that she failed to put on a mask while changing a patient's dressing. In response to the incident in Finding of Fact Number Eight (8), Respondent admits that she infused the medication at the wrong rate. Respondent states that she ran the infusion slower than the order stated. In response to the incident in Finding of Fact Number Nine (9), Respondent states that she had already reviewed the physician's order and the rate of infusion. Respondent states that she did not realize her supervisor expected her to have the order in her hand and carry it over with her to the medication and compare it. Respondent states that she was preparing an intravenous medication when she reached for an alcohol wipe and found the small basket empty. Respondent states that there was no patient in the chair, but she had an uncapped needle in her hand and walked five to ten steps to obtain alcohol wipes and returned to the medication room.

#### 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)(M),(1)(O)&(1)(P) and 22 TEX. ADMIN. CODE §217.12(1)(B).
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 772613, heretofore issued to REGINA AVILA.

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. Until successfully completed, RESPONDENT may not practice nursing in the State of Texas except in accordance with the terms of this Order.
- D. 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 for KSTAR Program.

#### **III. 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.

**IV. 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.

**V. RESTORATION OF UNENCUMBERED LICENSE(S)**

Upon full compliance with the terms of this Agreed Order for KSTAR Program, 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 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.

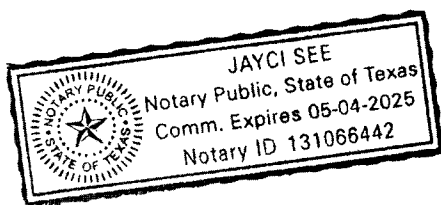
Signed this 16 day of August, 2021.

Regina Avila

REGINA AVILA, RESPONDENT

Sworn to and subscribed before me this 16 day of August, 2021.

SEAL



[Signature]  
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 for KSTAR Program that was signed on the 16th day of August, 2021, by REGINA AVILA, Registered Nurse License Number 772613, and said Agreed Order for KSTAR Program is final.

Effective this 14th day of September, 2021.

A handwritten signature in black ink, reading "Katherine A. Thomas". The signature is written in a cursive style with a horizontal line underneath it.

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