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Katherine A. Thomas
Executive Director of the Board

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of	§	AGREED ORDER
Advanced Practice Registered Nurse License	§	
Number AP131268 with Prescription	§	
Authorization Number 20716	§	
& Registered Nurse License Number 643825	§	
issued to TERESA DE JESUS RAMIREZ	§	

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of TERESA DE JESUS RAMIREZ, Advanced Practice Registered Nurse License Number AP131268 with Prescription Authorization Number 20716, and Registered Nurse License Number 643825, 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 April 9, 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. Respondent's license to practice as an advanced practice registered nurse in the State of Texas with authorization as a Family Nurse Practitioner is in current status with Prescription Authorization Number 20716 in current status.
4. Respondent received an Associate Degree in Nursing from Blinn College, Bryan, Texas, on May 1, 1997. Respondent completed a Family Nurse Practitioner Program from the University of Texas, Tyler, Texas, on May 6, 2016. Respondent was licensed to practice professional nursing in the State of Texas on July 22, 1997. Respondent was licensed to

practice advanced practice registered nursing in the State of Texas with authorization as a Family Nurse Practitioner with Prescription Authorization on June 26, 2016.

5. Respondent's nursing employment history includes:

7/1997 – 7/2013	RN	St. Joseph Regional Health Center Bryan, Texas
8/2013 – 8/2013	Unknown	
9/2013 – 10/2016	RN	The Physicians Centre Hospital College Station, Texas
10/2016 – 10/2017	FNP	TDCJ – UTMB CMC Teague, Texas
11/2017 – 12/2017	Unknown	
1/2018 – 4/2019	FNP	TDCJ – UTMB CMC Bryan & Navasota, Texas
5/2019 – 11/2020	Unknown	
12/2020 – 8/2021	FNP	CapRock Hospital Bryan, Texas
02/2021 – Present	RN/Weekend Supervisor	Golden Creek Healthcare & Rehabilitation Center Navasota, Texas

6. At the time of the incident, Respondent was employed as a Family Nurse Practitioner at the Texas Department of Criminal Justice (TDCJ) - University of Texas Medical Branch (UTMB) Correctional Managed Care (CMC), Navasota, Texas, and had been in that position for four (4) months.
7. On or about May 2, 2018, while employed as a Family Nurse Practitioner (FNP) at UTMB Correctional Managed Care, Luther Facility, Navasota, Texas, Respondent changed the diagnosis of Patient Number 1768663 [RC] from moderate persistent asthma to mild intermittent asthma, and discontinued Patient RC's Qvar inhaler, while leaving his rescue inhaler, without assessing and/or documenting her assessment of the patient's frequency of symptoms, nighttime awakenings, rescue inhaler usage, and peak flow. Patient RC subsequently returned to the clinic on May 30, 2018 with complaints of tightness in his chest and wheezing, and required a breathing treatment. Respondent's conduct could have exposed the patient to a risk of harm from complications associated with uncontrolled asthma and/or exacerbation.

8. In response to Finding of Fact Number Seven (7), Respondent states when she saw the patient on May 2, 2018, he reported wanting to drop his work restrictions and told her he had not had an asthma attack in years. Respondent states he had a normal clinical assessment and states with his stated history of no recent asthma attacks, a diagnosis of moderate persistent asthma could be stair-stepped downward per facility protocols. Respondent adds that due reported symptoms (or lack thereof), the use of a second steroid inhaler would not be medically indicated. Respondent further states that the patient never mentioned having any chest tightness, shortness of breath, or wheezing without his inhaler.
9. Respondent provided a letter of support/recommendation from her current DON at Golden Creek Healthcare & Rehabilitation Center, Navasota, Texas.
10. Respondent by her signature expresses her desire to voluntary surrender her ARPN license with Prescription Authorization.

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)(D)&(4) and 22 TEX. ADMIN. CODE §217.12(1)(A),(1)(B),(1)(C) &(4).
4. The evidence received is sufficient cause pursuant to Section 301.452(b)(10)&(13), Texas Occupations Code, to take disciplinary action against Advanced Practice Registered Nurse License Number AP131268 with Prescription Authorization Number 20716, and Registered Nurse License Number 643825, heretofore issued to TERESA DE JESUS RAMIREZ.
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 the **VOLUNTARY SURRENDER** of Advanced Practice

Registered Nurse License Number AP131268 with Prescription Authorization Number 20716, previously issued to TERESA DE JESUS RAMIREZ, is accepted by the Texas Board of Nursing and RESPONDENT SHALL receive the sanction of **REMEDIAL EDUCATION** in accordance with the terms of this Order.

IT IS FURTHER AGREED AND ORDERED that:

- A. RESPONDENT SHALL NOT practice advanced practice registered nursing, use the title "advanced practice registered nurse" or the abbreviation "APRN" or wear any insignia identifying herself as an advanced practice registered nurse or use any designation which, directly or indirectly, would lead any person to believe that RESPONDENT is an advanced practice registered nurse during the period in which the license is surrendered.
- B. RESPONDENT SHALL NOT prescribe medications or use or wear any title or insignia identifying herself as having prescription authorization or use any designation which, directly or indirectly, would lead any person to believe that RESPONDENT has prescription authorization during the period in which prescription authorization is surrendered.
- C. RESPONDENT SHALL NOT petition for reinstatement of licensure as an Advanced Practice Registered Nurse until at least one (1) year has elapsed from the date of this Order.
- D. This Order SHALL apply to any and all future licenses issued to RESPONDENT to practice nursing in the State of Texas.
- E. This Order SHALL be applicable to RESPONDENT'S nurse licensure compact privileges, if any, to practice nursing in the State of Texas.
- F. 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.

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 RN LICENSE**

With the exception of Advanced Practice Registered Nurse License Number AP131268 with Prescription Authorization Number 20716, upon full compliance with the terms of this Agreed Order, all other encumbrances will be removed from Registered Nurse License Number 643825 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.

Upon full compliance with the terms of this Order, Advanced Practice Registered Nurse License Number AP131268 with Prescription Authorization Number 20716 shall remain in **VOLUNTARY SURRENDER** status until such time, if ever, that RESPONDENT petitions for and obtains written reinstatement of licensure and authority to prescribe from the Board, subject to the following additional requirements:

- A. Upon petitioning for reinstatement of licensure as an Advanced Practice Registered Nurse, RESPONDENT SHALL satisfy all then existing requirements for relicensure.
- B. The Board may impose additional restrictions or stipulations to accompany the re-issuance of the RESPONDENT'S authority to prescribe controlled substances, as deemed appropriate and necessary by the Board.

RESPONDENT'S CERTIFICATION

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 23 day of September, 2021.

Teresa De Jesus Ramirez
TERESA DE JESUS RAMIREZ, RESPONDENT

Sworn to and subscribed before me this _____ day of _____, 20____.

SEAL

Notary Public in and for the State of _____

Approved as to form and substance

Betty Smith
Betty Smith, Attorney for Respondent

Signed this 23rd day of September, 2021.

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 23rd day of September, 2021, by TERESA DE JESUS RAMIREZ, Advanced Practice Registered Nurse License Number AP131268 with Prescription Authorization Number 20716, and Registered Nurse License Number 643825, and said Agreed Order is final.

Effective this 20th day of October, 2021.

A handwritten signature in cursive script, reading "Katherine A. Thomas".

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