



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.
Abilene Ramirez
Executive Director of the Board

**In the Matter of
Permanent Vocational Nurse
License Number 197498
Issued to KRISTEN DEANNE RAMIREZ,
Respondent**

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

ORDER OF THE BOARD

TO: Kristen Ramirez
866 Forrest
Abilene, TX 79603

During open meeting held in Austin, Texas, on November 9, 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 197498, previously issued to KRISTEN DEANNE 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 9th day of November, 2021

TEXAS BOARD OF NURSING

BY: 

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

Attachment: Formal Charges filed July 27, 2021

d17r(2021.10.18)

Re: Permanent Vocational Nurse License Number 197498
Issued to KRISTEN DEANNE RAMIREZ
DEFAULT ORDER - REVOKE

CERTIFICATE OF SERVICE

I hereby certify that on the 15th day of November, 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

Kristen Ramirez
866 Forrest
Abilene, TX 79603

BY:



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

In the Matter of
Permanent Vocational Nurse
License Number 197498
Issued to KRISTEN DEANNE RAMIREZ,
Respondent

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BEFORE THE TEXAS
BOARD OF NURSING

FORMAL CHARGES

This is a disciplinary proceeding under Section 301.452(b), Texas Occupations Code. Respondent, KRISTEN DEANNE RAMIREZ, is a Vocational Nurse holding license number 197498, which is in delinquent 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 June 11, 2020, Respondent failed to comply with the Agreed Order issued to Respondent on June 11, 2019, by the Texas Board of Nursing. Noncompliance is the result of Respondent's failure to comply with Section V, subsection A, Remedial Education Course(s), of the Agreed Order which states, in pertinent part:

"RESPONDENT SHALL successfully complete ... within one (1) year of the effective date of this Order ... A Board-approved course in Texas nursing jurisprudence and ethics ..."

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(1)&(10), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.12(11)(B).

CHARGE II.

On or about June 11, 2020, Respondent failed to comply with the Agreed Order issued to Respondent on June 11, 2019, by the Texas Board of Nursing. Noncompliance is the result of Respondent's failure to comply with Section V, subsection B, Remedial Education Course(s), of the Agreed Order which states, in pertinent part:

"RESPONDENT SHALL successfully complete ... within one (1) year of the effective date of this Order ... A Board-approved course in medication administration ..."

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(1)&(10), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.12(11)(B).

CHARGE III.

On or about June 11, 2020, Respondent failed to comply with the Agreed Order issued to Respondent on June 11, 2019, by the Texas Board of Nursing. Noncompliance is the result of Respondent's failure to comply with Section V, subsection C, Remedial Education Course(s), of the Agreed Order which states, in pertinent part:

"RESPONDENT SHALL successfully complete ... within one (1) year of the effective date of this Order ... A Board-approved course in nursing documentation ..."

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(1)&(10), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.12(11)(B).

CHARGE IV.

On or about June 11, 2020, Respondent failed to comply with the Agreed Order issued to Respondent on June 11, 2019, by the Texas Board of Nursing. Noncompliance is the result of Respondent's failure to comply with Section V, subsection D, Remedial Education Course(s), of the Agreed Order which states, in pertinent part:

"RESPONDENT SHALL successfully complete ... within one (1) year of the effective date of this Order ... The course 'Sharpening Critical Thinking Skills,'..."

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(1)&(10), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.12(11)(B).

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.

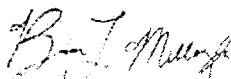
NOTICE IS GIVEN that, based on the Formal Charges, the Board will rely on the Disciplinary Matrix, located at 22 TEX. ADMIN. CODE §213.33(b), which can be found under the "Discipline & Complaints; Board Policies & Guidelines" section of the Board's website, www.bon.texas.gov.

NOTICE IS ALSO GIVEN that Respondent's past disciplinary history, as set out below and described in the Order(s) which is/are attached and incorporated by reference as part of these

charges, will be offered in support of the disposition recommended by staff: Order(s) of the Board dated February 9, 2016, and June 11, 2019.

Filed this 27th day of July, 2021.

TEXAS BOARD OF NURSING



James W. Johnston, General Counsel
Board Certified - Administrative Law
Texas Board of Legal Specialization
State Bar No. 10838300

Jena Abel, Deputy General Counsel
Board Certified - Administrative Law
Texas Board of Legal Specialization
State Bar No. 24036103

Brian L. Miller, Jr., Assistant General Counsel
State Bar No. 24117478

Georgette Oden, Assistant General Counsel
State Bar No. 24029752

JoAnna Starr, Assistant General Counsel
State Bar No. 24098463

Jacqueline A. Strashun, Assistant General Counsel
State Bar No. 19358600

John Vanderford, Assistant General Counsel
State Bar No. 24086670

333 Guadalupe, Tower III, Suite 460
Austin, Texas 78701
P: (512) 305-8657
F: (512) 305-8101 or (512) 305-7401

Attachment(s): Order(s) of the Board dated February 9, 2016, and June 11, 2019.

D(2021.07.09)



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 197498
issued to KRISTEN DEANNE RAMIREZ

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AGREED ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of KRISTEN DEANNE RAMIREZ, Vocational Nurse License Number 197498, 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)(1),(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 February 6, 2019.

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 delinquent status.
4. Respondent received a Certificate in Vocational Nursing from Texas State Technical College West Texas, Sweetwater, Texas, on December 15, 2004. Respondent was licensed to practice vocational nursing in the State of Texas on February 10, 2005.
5. Respondent's nursing employment history includes:

2/2005 – 02/2009	Licensed Vocational Nurse	Sears Methodist Center Abilene, Texas
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Respondent's nursing employment history continued:

02/2009 – 10/2011	Licensed Vocational Nurse	Northern Oaks Living and Rehabilitation Abilene, Texas
11/2011 – 02/2012	Licensed Vocational Nurse	Coronado Nursing Center Abilene, Texas
02/2012 – 07/2013	Staff Nurse	Wesley Court Retirement Community Abilene, Texas
08/2013 – 09/2013	Unknown	
10/2013 – 04/2014	Staff Nurse	Hendrick Health Systems Abilene, Texas
04/2014 – 12/2014	Staff Nurse	Coronado Nursing Center Abilene, Texas
12/2014 – 02/2016	Staff Nurse	Northern Oaks Living and Rehabilitation Abilene, Texas
06/2015 – 05/2016	Licensed Vocational Nurse	The Oaks at Ratford Hills Medical Drive, Texas
07/2016 – 09/2017	Staff Nurse	Abilene State Supported Living Center Abilene, Texas
10/2017 – Present	Unknown	

6. On or about February 9, 2016, Respondent was issued the sanction of Warning with Stipulations through an Order of the Board. A copy of the February 9, 2016, Order is attached and incorporated herein by reference as part of this Agreed Order.
7. At the time of the initial incidents, Respondent was employed as a Staff Nurse with Abilene State Supported Living Center, Abilene, Texas, and had been in that position for seven (7) months.

8. On or about February 10, 2017, Respondent failed to comply with the Agreed Order WARNING W/STIPULATION issued on February 9, 2016, by the Texas Board of Nursing. Non-compliance is the result of Respondent's failure to comply with Stipulation Numbers Three-A (III-A), of the Order which states, in pertinent part:
 - A. ...RESPONDENT SHALL successfully complete the following remedial education courses (s) within one (1) year of entry of this Order, unless otherwise specifically indicated: A course in Texas nursing jurisprudence and ethics that shall be a minimum of six (6) hours in length.
9. On or about February 10, 2017, Respondent failed to comply with the Agreed Order WARNING W/STIPULATION issued on February 9, 2016, by the Texas Board of Nursing. Non-compliance is the result of Respondent's failure to comply with Stipulation Numbers Three-B (III-B), of the Order which states, in pertinent part:
 - B. ...RESPONDENT SHALL successfully complete the following remedial education courses (s) within one (1) year of entry of this Order, unless otherwise specifically indicated: 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.
10. On or about February 10, 2017, Respondent failed to comply with the Agreed Order WARNING W/STIPULATION issued on February 9, 2016, by the Texas Board of Nursing. Non-compliance is the result of Respondent's failure to comply with Stipulation Numbers Three-C (III-C), of the Order which states, in pertinent part:
 - C. ...RESPONDENT SHALL successfully complete the following remedial education courses (s) within one (1) year of entry of this Order, unless otherwise specifically indicated: A Board-approved course in nursing documentation that shall be a minimum of six (6) hours in length.
11. On or about February 10, 2017, Respondent failed to comply with the Agreed Order WARNING W/STIPULATION issued on February 9, 2016, by the Texas Board of Nursing. Non-compliance is the result of Respondent's failure to comply with Stipulation Numbers Three-D (III-D), of the Order which states, in pertinent part:
 - D. ...RESPONDENT SHALL successfully complete the following remedial education courses (s) within one (1) year of entry of this Order, unless otherwise specifically indicated: 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.
12. On or about September 4, 2017, through September 14, 2017, while employed as a Staff Nurse with Abilene State Supported Living Center, Abilene, Texas, and while caring for Resident Number 0067-66643-02, Respondent signed out that she withdrew Norco from the Controlled Substance Administration Records, but failed to document and/or

completely and accurately document the administration of the medication in the resident's electronic Medication Administration Record (eMAR), as follows:

Date	Time	Resident	Medication Withdrawn (QTY)	Electronic Medication Administration Record (eMAR)	Nurses' Notes
09/04/17	0645	0067-66643-02	Hydrocodone (Norco) 5mg-325mg (1)	None	"Gave Norco 5/325mg 1 tab via gtube"
09/04/17	1130	0067-66643-02	Hydrocodone (Norco) 5mg-325mg (1)	None	"Gave Norco 5/325mg 1 tab via gtube"
09/11/17	0630	0067-66643-02	Hydrocodone (Norco) 5mg-325mg (1)	None	None
09/11/17	1030	0067-66643-02	Hydrocodone (Norco) 5mg-325mg (1)	None	None
09/11/17	1345	0067-66643-02	Hydrocodone (Norco) 5mg-325mg (1)	None	None
09/14/17	0630	0067-66643-02	Hydrocodone (Norco) 5mg-325mg (1)	None	None
09/14/17	1000	0067-66643-02	Hydrocodone (Norco) 5mg-325mg (1)	None	None
09/14/17	1330	0067-66643-02	Hydrocodone (Norco) 5mg-325mg (1)	None	None

Respondent's conduct was likely to injure the resident, in that subsequent care givers would rely on her documentation to further medicate the resident, which could result in an overdose.

13. On or about September 12, 2017, while employed as a Staff Nurse with Abilene State Supported Living Center, Abilene, Texas, Respondent falsely documented the administration of metoclopramide, metoprolol, Protonix, polyethylene glycol, clopidogrel, amlodipine, spironolactone, and vitamin D to Resident Number 0067-62683-01 as ordered by the physician. A bag containing these medications was found in a drawer and, therefore, medications had not been administered to the resident. Respondent's conduct created an inaccurate medical record and failure to administer medication as ordered by the physician could have resulted in non-efficacious treatment.
14. On or about September 16, 2017, while employed as a Staff Nurse with Abilene State Supported Living Center, Abilene, Texas, Respondent left the nursing home for forty-five (45) minutes, abandoning several residents who required 24-hour, skilled nursing care. Additionally, Respondent failed to notify the Charge Nurse, facility, or appropriate caregiver(s) of her leaving her nursing assignment at the nursing home. Respondent's conduct exposed the residents unnecessarily to risk of harm in that leaving the nursing assignment could have resulted in the residents not getting the care needed.

15. On or about September 16, 2017, while employed as a Staff Nurse with Abilene State Supported Living Center, Abilene, Texas, Respondent failed to complete respiratory/tracheostomy care, including changing tracheostomy ties, administering respiratory medication treatments, and/or suctioning, for at least four (4) residents as ordered by the physician. Respondent's conduct was likely to injure the residents in that failure to administer treatments and medications as ordered by a physician could have resulted in non-efficacious treatment.

16. In response to the incidents in Findings of Fact Numbers Eight (8), through Eleven (11), Respondent states that she has not taken the classes yet because of how expensive they are. Respondent states that since she got fired from Abilene State Living Center and her license was referred, she did not know if she should have attempted to take the classes since she did not know what the Board was going to do with her license. In response to the incident in Finding of Fact Number Twelve (12), Respondent states that she did give pm Norco several times to one of her patients throughout the shift, but states that she is sure that she got in a hurry and missed the charting of those doses. In response to the incident in Finding of Fact Number Thirteen (13), Respondent states that she worked in this particular home a week prior to being fired and was told that she did not administer medications at that time. Respondent states that she does not understand why the facility did not tell her the next day or even the same week about the incident. In response to the incident in Finding of Fact Number Fourteen (14), Respondent states that she walked down the hall to use another bathroom and was gone for twenty minutes. Respondent states that she did inform one staff member, but did not inform the staff working beside her because she hurried to the bathroom. Respondent states that she apologized to that staff member and explained what happened when she returned to the unit. In response to the incident in Finding of Fact Number Fifteen (15), Respondent states that she did do her trach care, but admits that she "did not change the ties out." Respondent explains that this was her first week out of the infirmary unit where the night shift changed out the ties. Respondent states that she assumed it was the same for this particular unit she was on. Respondent states that she did suction and change out the dressings, and also changed the SNV equipment such as the masks and tubing. Respondent further states that she did administer breathing treatments and left new equipment out for the next shift.

17. Formal Charges were filed on October 22, 2018.

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)(I) and 22 TEX. ADMIN. CODE §217.12(1)(A),(1)(B),(1)(C),(4),(6)(A),(6)(H),(10)(B)&(11)(B).

- 4 The evidence received is sufficient cause pursuant to Section 301.452(b)(1),(10)&(13), Texas Occupations Code, to take disciplinary action against Vocational Nurse License Number 197498, heretofore issued to KRISTEN DEANNE 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 that RESPONDENT SHALL receive the sanction of **REPRIMAND WITH STIPULATIONS AND FINE** 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" and RESPONDENT may not work outside the State of Texas in another nurse licensure compact party state.

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. **SUPERSEDING ORDER**

IT IS FURTHER AGREED and ORDERED that the sanction and conditions of this Agreed Order SHALL supersede all previous stipulations required by any Order entered by the Texas Board of Nursing.

IV. **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.

V. **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 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.

- C. 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.
- D. 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.*

VI. MONETARY FINE

RESPONDENT SHALL pay a monetary fine in the amount of two hundred fifty dollars (\$250.00) 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.

VII. 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 eight (8) quarterly periods [two (2) years] of employment. This requirement will not be satisfied until eight (8) 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. **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.
- D. **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.

- E. **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 eight (8) quarters [two (2) years] of employment as a nurse.

VIII. 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.

- 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

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.

IX. SUBSEQUENT CRIMINAL PROCEEDINGS

IT IS FURTHER AGREED, should the Respondent's conduct, as outlined in the findings of fact of this 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.

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) 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 9 day of May, 2019.

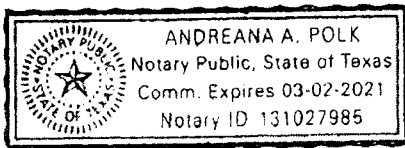
Kristen Deanne Ramirez Ramirez
KRISTEN DEANNE RAMIREZ, Respondent
Kristen Deanne Ramirez

Sworn to and subscribed before me this 9 day of May, 2019.

SEAL

Andreana A Polk

Notary Public in and for the State of _____

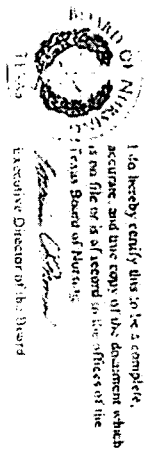


WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Agreed Order that was signed on the 9th day of May, 2019, by KRISTEN DEANNE RAMIREZ, Vocational Nurse License Number 197498, and said Agreed Order is final.

Effective this 11th day of June, 2019.



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



BEFORE THE TEXAS BOARD OF NURSING

In the Matter of § AGREED
Vocational Nurse License Number 197498 §
issued to KRISTEN DEANNE RAMIREZ § ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of KRISTEN DEANNE RAMIREZ, Vocational Nurse License Number 197498, 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 Order approved by Katherine A. Thomas, MN, RN, FAAN, Executive Director, on November 9, 2015.

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 vocational nurse in the State of Texas is in current status.
4. Respondent received a Certificate in Vocational Nursing from Texas State Technical College West Texas, Sweetwater, Texas, on December 15, 2004. Respondent was licensed to practice vocational nursing in the State of Texas on February 10, 2005.
5. Respondent's nursing employment history includes:

2/2005 - 1/2012	Unknown
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Respondent's nursing employment history continued:

2/2012 - 7/2013	Staff Nurse	Wesley Court Retirement Community Abilene, Texas
8/2013 - 9/2013	Unknown	
10/2013 - 3/2014	Staff Nurse	Hendrick Medical Center Abilene, Texas
3/2014 - 5/2014	Staff Nurse	Hendrick Internal Medicine Abilene, Texas
5/2014 - Unknown	Staff Nurse	Coronado Nursing Center Abilene, Texas
1/2015 - 2/2015	Staff Nurse	Northern Oaks Living and Rehabilitation Abilene, Texas
3/2015 - Present	Unknown	

6. At the time of the initial incident, Respondent was employed as a Staff Nurse with Northern Oaks Living and Rehabilitation, Abilene, Texas, and had been in that position for one (1) month.
7. On or about February 4, 2015, while employed as a Staff Nurse with Northern Oaks Living and Rehabilitation, Abilene, Texas, Respondent signed out two (2) tablets of Hydrocodone 5/325mg on the Controlled Drug Record of Resident 314A and administered them to Resident 412B, who had a documented allergy to the medication, without a physician's order. Respondent's conduct was likely to injure the resident in that the Hydrocodone was administered without the benefit of a physician's expertise, and placed the hospital in violation of Chapter 481 (Controlled Substances Act) of the Texas Health and Safety Code.
8. On or about February 4, 2015, while employed as a Staff Nurse with Northern Oaks Living and Rehabilitation, Abilene, Texas, Respondent failed to document the administration of two (2) tablets of Hydrocodone 5/325mg in the medical record of Resident 412B. Respondent's conduct placed the resident unnecessarily at risk of harm in that other care givers would rely on the medical record to provide further care. Additionally, Respondent's conduct placed the hospital in violation of Chapter 481 (Controlled Substances Act) of the Texas Health and Safety Code.
9. On or about August 3, 2015, Respondent defaulted on a Texas Guaranteed Student Loan. Respondent exhibited unprofessional conduct in her failure to repay a Texas Guaranteed

Student Loan, which may have deprived other students of funds necessary for their educational programs.

10. In response to the incidents in Finding of Fact Number Seven (7), Respondent admits she signed out two (2) tablets of Hydrocodone 5/325mg on the Controlled Drug Record of Resident 314A and administered them to Resident 412B because the resident was a long time family friend who was in pain. Respondent states that during their conversation about pain, the resident said that Hydrocodone had helped her in the past, but that it made her a little nauseous. Respondent states she knows what she did was wrong and is sorry she let her feelings for the resident get in the way. In addition, Respondent explained that she monitored the resident for adverse reactions and had planned on calling the physician for an order for Hydrocodone. Regarding Finding of Fact Number Nine (9), Respondent states that money had been very tight and she should have made arrangements to pay off the student loan sooner.
11. Formal Charges were filed on September 15, 2015.
12. Formal Charges were mailed to Respondent on September 16, 2015.

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)(P) and 22 TEX. ADMIN. CODE §217.12(1)(A),(1)(B),(1)(C),(4),(7)&(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 197498, heretofore issued to KRISTEN DEANNE 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 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. 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 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 courses and video programs will not be approved.

- B. 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 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.
- C. 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.
- D. 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.*

IV. TEXAS GUARANTEED STUDENT LOAN CORPORATION REQUIREMENTS

RESPONDENT SHALL initiate contact with the Texas Guaranteed Student Loan Corporation and make arrangements to repay the student loan. Upon approval of a repayment contract with the Texas Guaranteed Student Loan Corporation, RESPONDENT SHALL CAUSE the Texas Guaranteed Student Loan Corporation to submit verification directly to the Board that the

default status has been removed from Respondent's Texas Guaranteed Student Loan.

In accordance with Section 57.491 of the Texas Education Code, RESPONDENT'S license(s) to practice nursing SHALL NOT be renewed in the event that RESPONDENT'S Texas Guaranteed Student Loan is in default status at the time of renewal.

V. **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 licensed healthcare setting, for a minimum of sixty-four (64) hours per month for four (4) quarterly periods [one (1) year] of employment. This requirement will not be satisfied until four (4) quarterly periods of employment as a nurse have elapsed. Any quarterly period without continuous employment with the same employer for all three (3) months will not count towards completion of this requirement. 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. **Indirect Supervision:** 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 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.
- D. **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 nurse who supervises the RESPONDENT and these reports shall be submitted by the supervising nurse to the office of the Board at the end of each three (3) month quarterly period for four (4) quarters [one (1) year] of employment as a nurse.

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. 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 when this Order becomes final and the terms of this Order become effective, 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) to practice nursing in the State of Texas, as a consequence of my noncompliance.

Signed this 7 day of January, 2016.

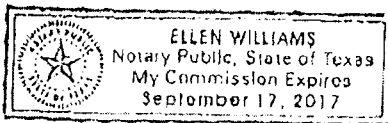
Kristen Ramirez
KRISTEN DEANNE RAMIREZ, Respondent

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

SEAL

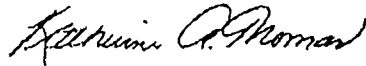
Ellen Williams

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 that was signed on the 7th day of January, 2016, by KRISTEN DEANNE RAMIREZ, Vocational Nurse License Number 197498, and said Order is final.

Effective this 9th day of February, 2016.



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