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Katherine A. Thomas
Executive Director of the Board

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of § AGREED ORDER
Registered Nurse License Number 759942 §
& Vocational Nurse License Number 203828 §
issued to LAURA GARCIA RODRIGUEZ §
§

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of LAURA GARCIA RODRIGUEZ, Registered Nurse License Number 759942, and Vocational Nurse License Number 203828, 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)(effective through 8/31/2021), 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 October 21, 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 delinquent status. Respondent's license to practice as a professional nurse in the State of Texas is in current status.
4. Respondent received a Certificate in Vocational Nursing from St. Philip's College, San Antonio, Texas, on December 8, 2005. Respondent received an Associate Degree in Nursing from San Antonio College, San Antonio, Texas, on May 11, 2008. Respondent was licensed to practice vocational nursing in the State of Texas on April 25, 2006. Respondent was licensed to practice professional nursing in the State of Texas on August 14, 2008.

5. Respondent's nursing employment history includes:

4/2006 – 5/2008	LVN	Methodist Specialty and Transplant Hospital San Antonio, Texas
5/2008 – 8/2012	NICU GN	Methodist Children's Hospital San Antonio, Texas
8/2008 – 8/2012	NICU RN	Methodist Children's Hospital San Antonio, Texas
8/2012 – 2/2014	NICU RN	Southwest General Hospital San Antonio, Texas
2/2014 – 10/2018	NICU RN	Children's Hospital of San Antonio San Antonio, Texas
11/2018 – 12/2018	Unknown	
1/2019 – 1/2020	Private Duty RN	Synergy Homecare San Antonio, Texas
2/2020 – 1/2021	NICU RN	Corpus Christi Medical Center Corpus Christi, Texas
2/2021 – Present	Unknown	

6. At the time of the initial incident, Respondent was employed as a Registered Nurse with Corpus Christi Medical Center - Doctor's Regional, Corpus Christi, Texas, and had been in that position for seven (7) months.
7. On or about September 12, 2020, while employed as a Registered Nurse (RN) in the Neonatal Intensive Care Unit (NICU) of Corpus Christi Medical Center - Doctor's Regional, Corpus Christi, Texas, Respondent failed to assess and change the diaper of infant Patient Number 895196 throughout her shift. The oncoming shift nurse discovered the patient in an over-saturated diaper with a weight of 125 grams, indicating that the diaper had not been changed for hours. Additionally, Respondent falsely documented diaper weights in the patient's medical record. Further, Patient Number 895196 was discovered at shift change on a urine saturated phototherapy blanket with old blood stains. Respondent's conduct created an inaccurate medical record and unnecessarily exposed the infant patient to an increased risk of skin breakdown.
8. On or about November 8, 2020, while employed as a Registered Nurse (RN) in the Neonatal Intensive Care Unit (NICU) of Corpus Christi Medical Center - Doctor's Regional, Corpus Christi, Texas, Respondent scanned another patient's box of Biogaia

drops and administered them to infant Patient Number 898692. Respondent's conduct was likely to defraud the other patient of the cost of the medication.

9. On or about November 17, 2020, while employed as a Registered Nurse (RN) in the Neonatal Intensive Care Unit (NICU) of Corpus Christi Medical Center - Doctor's Regional, Corpus Christi, Texas, Respondent inaccurately documented that she administered Morphine to Patient Number 896383 at 1530 in that she did not remove the Morphine from the medication dispensing system (Pyxis) until 1611. Respondent's conduct created an inaccurate medical record and placed the hospital in violation of Chapter 481 (Controlled Substances Act) of the Texas Health and Safety Code.
10. On or about January 8, 2021, while employed as a Registered Nurse (RN) in the Neonatal Intensive Care Unit (NICU) of Corpus Christi Medical Center - Doctor's Regional, Corpus Christi, Texas, Respondent failed to decrease the IV rate to 6ml/hr and wean by 1.5ml/hr with every feed increase for infant Patient Number 902095, as ordered by the provider. Instead, Respondent charted that the IV rate remained at 7ml/hr for the duration of her shift. Respondent later altered her documentation after speaking to the provider and discovering her error. Respondent's conduct created an inaccurate medical record and was likely to injure the infant patient in that failing to administer medications as ordered by the physician could result in the patient suffering from adverse reactions.
11. On or about January 13, 2021, while employed as a Registered Nurse (RN) in the Neonatal Intensive Care Unit (NICU) of Corpus Christi Medical Center - Doctor's Regional, Corpus Christi, Texas, Respondent failed to complete her documentation for infant Patient Number 902470 prior to leaving her shift at 1945. Respondent returned to the facility at 0700 the following day and completed her documentation by adding Finnegan Scores and a missing assessment. Respondent's conduct created an incomplete medical record and was likely to injure the infant patient in that the night shift did not have complete information to base their care decisions.
12. In response to Findings of Fact Numbers Seven (7) through Eleven (11), regarding Patient Number 895196, Respondent claims she did assess and change the patient's diaper. Regarding Patient Number 898692, Respondent admits she scanned a box of drops that was on her table for another patient. Respondent adds that she was in a hurry to finish her rounding and continue with her other tasks. Regarding Patient Number 896383, Respondent claims the entry was a typo and she meant to chart 1630 instead of 1530. Regarding Patient Number 902095, Respondent states the patient's rate remained at 7ml/hr due to the patient not having yet reached his volume for feeds to lower the IV rate down as ordered by the provider. Respondent states she was concerned that the IV had infiltrated so she called the provider and asked if they could lower the IV rate more or possibly discontinue it. Respondent states the provider told her to look at the orders again because it has directions on what to do about the IV. Respondent states when she looked at and acknowledged the order, she did not see anything in regards to what to do for the IV rate change which included feedings. Respondent states after her conversation with the provider, she went ahead and lowered the IV rate and went back into the computer to

correct what she had already charted because the provider made a verbal order. Regarding Patient Number 902470, Respondent states she was notified late that night about her missing documentation so she returned at 0700 the following day to complete her documentation.

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)&(3) 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)(10)&(13)(effective through 8/31/21), Texas Occupations Code, to take disciplinary action against Registered Nurse License Number 759942, and Vocational Nurse License Number 203828, heretofore issued to LAURA GARCIA RODRIGUEZ.
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** 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.

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 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.*

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 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.

VI. 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 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 November 2021.

Laura Garcia Rodriguez

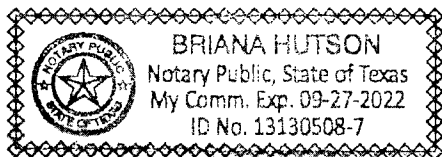
LAURA GARCIA RODRIGUEZ, RESPONDENT

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

Briana Hutson

Notary Public in and for the State of Texas

SEAL



WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Agreed Order that was signed on the 16th day of November, 2021, by LAURA GARCIA RODRIGUEZ, Registered Nurse License Number 759942, and Vocational Nurse License Number 203828, and said Agreed Order is final.

Effective this 20th day of January, 2022.



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