



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 § AGREED ORDER
Registered Nurse License Number 838379 §
issued to SANTIAGO PINON §
§

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of SANTIAGO PINON, Registered Nurse License Number 838379, 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 December 13, 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.
4. Respondent received a Baccalaureate Degree in Nursing from University of Texas Rio Grande Valley, Edinburg, Texas, on May 11, 2013. Respondent was licensed to practice professional nursing in the State of Texas on June 20, 2013.
5. Respondent's nursing employment history includes:

06/2013 – 08/2013 Unknown

Respondent's nursing employment history continued:

09/2013 – 12/2015	Registered Nurse	Valley Baptist Medical Center Harlingen, Texas
01/2016 – 06/2016	Registered Nurse	McAllen Medical Center McAllen, Texas
06/2016 – 06/2018	Registered Nurse	St. David's North Medical Center Austin, Texas
07/2018 – 02/2020	Registered Nurse	UT Southwestern Medical Center Dallas, Texas
03/2020 – Present	Unknown	

6. At the time of the initial incident, Respondent was employed as a Registered Nurse ("RN") with UT Southwestern Medical Center, Dallas, Texas, and had been in that position for six (6) months.
7. On or about January 26, 2019, while employed as a RN with UT Southwestern Medical Center, Dallas, Texas, Respondent withdrew one (1) syringe of Fentanyl 100mcg/2mL from the Pyxis medication dispensing system for Patient KS, but failed to follow the facility's policy and procedure for wastage of the unused portions of the medications. More specifically, Respondent withdrew the medication at 0149 and wasted it at 0552, which is approximately four (4) hours later. Respondent's conduct was likely to deceive the hospital pharmacy, and placed the pharmacy in violation of Chapter 481 (Controlled Substances Act) of the Texas Health and Safety Code.
8. On or about July 16, 2019, while employed as a RN with UT Southwestern Medical Center, Dallas, Texas, Respondent withdrew one (1) vial of Ativan 2mg/1mL from the Pyxis medication dispensing system to administer intravenously to Patient RK, but inaccurately documented that the medication was administered orally. Respondent's conduct resulted in an inaccurate medical record.
9. On or about September 11, 2019, through September 12, 2019, while employed as a RN with UT Southwestern Medical Center, Dallas, Texas, Respondent failed to follow the facility's policy and procedure for wastage of the unused portions of medication when he left Fentanyl 1950mcg, that was previously discontinued at 1015, in the room of Patient JZ for his entire shift. Subsequently, the medication was wasted by the next shift at 0755 on September 12, 2020. Respondent's conduct left medications unaccounted for, was likely to

deceive the hospital pharmacy, and placed the pharmacy in violation of Chapter 481 (Controlled Substances Act) of the Texas Health and Safety Code.

10. In response to the incident in Finding of Fact Number Seven (7), Respondent states that versed was pulled out because he figured the patient was being transferred emergently as he got report at the bedside, which is typical for emergent patients, instead of the phone. Respondent states that the patient was not in the Pyxis yet so he pulled it out from another patient knowing the physician was going to put in the order. Respondent states that the physician placed the order and versed was scanned for the right patient. In response to the incident in Finding of Fact Number Eight (8), Respondent states that he does not recall this incident, but it might have been a computer clicking mistake. In response to the incident in Finding of Fact Number Nine (9), Respondent states that he did not do a thorough scope in the room because his mind was on a different patient who was unstable. Respondent states that he quickly went to the other patient that needed his attention and this was the only reason he did not catch the fentanyl drip.

11. Formal Charges were filed on March 16, 2021.

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) and 22 TEX. ADMIN. CODE §217.12(1)(A),(1)(B),(1)(C),(4),(10)(B), (10)(C)&(11)(B).
4. The evidence received is sufficient cause pursuant to Section 301.452(b) (10)&(13)(effective through 8/31/2021), Texas Occupations Code, to take disciplinary action against Registered Nurse License Number 838379, heretofore issued to SANTIAGO PINON.
5. Pursuant to Section 301.463(d), Texas Occupations Code, this Agreed Order is a settlement agreement under Rule 408, Texas Rules of Evidence, in civil or criminal litigation.

TERMS OF ORDER

I. SANCTION AND APPLICABILITY

IT IS THEREFORE AGREED and ORDERED that RESPONDENT SHALL receive the sanction of **REMEDIAL EDUCATION** in accordance with the terms of this Order.

- A. This Order SHALL apply to any and all future licenses issued to RESPONDENT to practice nursing in the State of Texas.
- B. This Order SHALL be applicable to RESPONDENT'S nurse licensure compact privileges, if any, to practice nursing in the State of Texas.
- C. 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 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 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 have reviewed this Order. I neither admit nor deny the violation(s) alleged herein. By my signature on this Order, I agree to the entry of this Order, and any conditions of said Order, to avoid further disciplinary action in this matter. I waive judicial review of this Order. I understand that this Order becomes effective upon acceptance by the Executive Director on behalf of the Texas Board of Nursing and a copy will be mailed to me. I understand that if I fail to comply with all terms and conditions of this Order, I will be subject to investigation and disciplinary sanction, including possible revocation of my license(s) and/or privileges to practice nursing in the State of Texas, as a consequence of my noncompliance.

Signed this Jan day of 21, 2022.
Santiago Pinon
SANTIAGO PINON, 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.

Deborah Goodall
Deborah Goodall, Attorney for Respondent

Signed this 21st day of January, 2022.

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 21st day of January, 2022, by SANTIAGO PINON, Registered Nurse License Number 838379, and said Agreed Order is final.

Effective this 24th day of January, 2022.



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