



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.
Kristin K. Benton, DNP, RN
Kristin K. Benton, DNP, RN
Executive Director
Texas Board of Nursing

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of § AGREED ORDER
Registered Nurse License Number 1008750 § FOR
issued to ALEX LOPEZ § DEFERRED DISCIPLINE
§

On this day the Texas Board of Nursing, hereinafter referred to as the Board, consider the matter of ALEX LOPEZ, Registered Nurse License Number 1008750, 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)(14), Texas Occupations Code.

Respondent waived notice and hearing and agreed to the entry of this Agreed Order for Deferred Discipline approved by Kristin K. Benton, DNP, RN, Executive Director, on November 6, 2023.

FINDINGS OF FACT

1. Prior to the institution of Agency proceedings, notice of the matters specified below in these Findings of Fact was served on Respondent and Respondent was given an opportunity to show compliance with all requirements of the law for retention of the license(s).
2. Respondent waived notice and hearing, and agreed to the entry of this Agreed Order for Deferred Discipline.
3. Respondent's license to practice as a professional nurse in the State of Texas is in current status.
4. Respondent received an Associate Degree in Nursing Collin County Community College, McKinney, Texas, on August 16, 2020, and received a Baccalaureate Degree in nursing from Texas Tech University Health Science Center, Lubbock, Texas, on April 23, 2021. Respondent was licensed to practice professional nursing in the State of Texas on August 25, 2020.

5. Respondent's nursing employment history includes:

8/2020 – 12/2020	Unknown	
1/2021-11/2021	Registered Nurse	Texoma Medical Center Denison, Texas
12/2021-2/2022	Unknown	
3/2022-Present	Registered Nurse	Physician's Choice Health Services Lewisville, Texas

6. At the time of the initial incident, Respondent was employed as a Registered Nurse with Texoma Medical Center, Denison, Texas, and had been in that position for eleven (11) months.
7. On or about November 21, 2021, while employed as a Registered Nurse with Texoma Medical Center, Denison, Texas, Respondent failed to document notification of the physician when Patient MRN#1030598 experienced decreasing oxygen saturation levels, increased respiration rate, and elevated heart rate between 4:00am and 5:00am.
8. On or about November 22, 2021, while employed as a Registered Nurse with Texoma Medical Center, Denison, Texas, Respondent failed to document notification of the physician in response to the elevated systolic blood pressure of Patient MRN#1074284. The patient experienced systolic blood pressure readings from 180mmHg to 211mmHg from 4:00am to 6:35 am, when Respondent received an order for labetalol to treat the blood pressure.
9. In response to the incident in Finding of Fact Number Seven (7), Respondent states that he notified the physician by notifying the charge nurse and the respiratory therapist (RT), who both told him they would notify the physician of the patient's status. Respondent states that he notified the RT of the patient's hyperventilation patterns and the possibility of the patient requiring re-intubation, and the RT said he would notify the physician but in his opinion, the patient did not need BiPAP. Respondent states that he passed that information on to the charge nurse who said she would notify the physician.
10. Formal Charges were filed on September 12, 2022.

CONCLUSIONS OF LAW

1. Pursuant to Texas Occupations Code, Sections 301.451-301.555, the Board has jurisdiction over this matter.

2. Notice was served in accordance with law.
3. The evidence received is sufficient to prove violation(s) of 22 TEX. ADMIN. CODE §217.11 (1)(A),(1)(B),(1)(C),(1)(M)&(1)(P).
4. The evidence received is sufficient cause pursuant to Section 301.452(b)(14), Texas Occupations Code, to take disciplinary action against Registered Nurse License Number 1008750, heretofore issued to ALEX LOPEZ.
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, DEFERRED**, in accordance with the terms of this Order.

- A. This Order SHALL apply to any and all future licenses issued to RESPONDENT to practice nursing in the State of Texas.
- B. This Order SHALL be applicable to RESPONDENT'S nurse licensure compact privileges, if any, to practice nursing in the State of Texas.
- C. Until successfully completed, RESPONDENT may not practice nursing in the State of Texas except in accordance with the terms of this Order.
- D. As a result of this Order, RESPONDENT'S license(s) will be designated "single state" as applicable and RESPONDENT may not work outside the State of Texas in another nurse licensure compact party state using a Texas compact license.

II. COMPLIANCE WITH LAW

While under the terms of this Order, RESPONDENT agrees to comply in all respects with the Nursing Practice Act, Texas Occupations Code, §§301.001 *et seq.*, the

Rules and Regulations Relating to Nursing Education, Licensure and Practice, 22 TEX. ADMIN. CODE §§211.1 *et seq.*, and this Agreed Order for Deferred Discipline.

Further, RESPONDENT SHALL not commit any violation of 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.* **for a period of three (3) years from the date of this 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 "Righting a Wrong,"** a 3.0 contact hour online program provided by the National Council of State Boards of Nursing (NCSBN) International Center for Regulatory Scholarship (ICRS).

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. **EFFECT OF DEFERRED DISCIPLINE**

Upon successful completion of the stipulated requirements of this Agreed Order for Deferred Discipline, 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.

Upon the successful completion of the required three (3) year period of deferral, the complaint or complaints which formed the basis for this action will be dismissed and this Order will be made confidential to the same extent as a complaint filed under Section 301.466, Texas Occupations Code.

Until such time that this Order is made confidential, this Order is subject to disclosure in accordance with applicable law.

Should an additional allegation, complaint, accusation, or petition be reported or filed against RESPONDENT prior to the time this Order is made confidential, the deferral period shall be extended until the allegation, accusation, or petition has been finally acted upon by the Board.

Should RESPONDENT commit a subsequent violation of the Nursing Practice Act or Board Rules, this Order shall be treated as prior disciplinary action.

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RESPONDENT'S CERTIFICATION

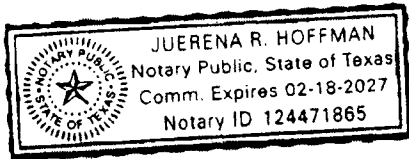
I understand that I have the right to legal counsel prior to signing this Order. I have reviewed this Order. I neither admit nor deny the violation(s) alleged herein. By my signature on this Order, I agree to the entry of this Order, and any conditions of said Order, to avoid further disciplinary action 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 8th day of November, 2023
ALH

ALEX LOPEZ, RESPONDENT

Sworn to and subscribed before me this 8th day of November 2023

SEAL



Juereña R. Hoffman

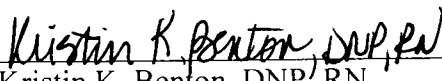
Notary Public in and for the State of Texas

Approved as to form and substance,
[Signature]

Ronald Huff, Attorney for the Respondent

WHEREFORE, PREMISES CONSIDERED, the Executive Director, on behalf of the Texas Board of Nursing does hereby ratify and adopt the Agreed Order for Deferred Discipline that was signed on the 8th day of November, 2023, by ALEX LOPEZ, Registered Nurse License Number 1008750, and said Agreed Order for Deferred Discipline is final.

Effective this 9th day of November, 2023.



Kristin K. Benton, DNP, RN
Executive Director on behalf
of said Board