In the Matter of Permanent Registered Nurse License Number 1057559 Issued to ANGELA J RAMIREZ, Respondent BEFORE THE TEXAS

§ 8 BOARD OF NURSING

**ELIGIBILITY AND** 

DISCIPLINARY COMMITTEE

### ORDER OF THE BOARD

TO: Angela Ramirez
7211 Macarthur Avenue
Wonder Lake, IL 60097

During open meeting held in Austin, Texas, on December 12, 2023, 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 Registered Nurse License Number 1057559, previously issued to ANGELA J 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 12<sup>th</sup> day of December, 2023.

TEXAS BOARD OF NURSING

BY: Kristin K. Berton, DNP, RN

KRISTIN K. BENTON, DNP, RN EXECUTIVE DIRECTOR ON BEHALF OF SAID BOARD

Attachment: Formal Charges filed September 27, 2023

d17r(2023.11.16)

### **CERTIFICATE OF SERVICE**

I hereby certify that on the 12<sup>th</sup> day of December, 2023, 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
Angela Ramirez
7211 Macarthur Avenue
Wonder Lake, IL 60097

Kristin K. Beston, DNP, RN

BY:

KRISTIN K. BENTON, DNP, RN EXECUTIVE DIRECTOR ON BEHALF OF SAID BOARD In the Matter of
Permanent Registered Nurse
License Number 1057559
Issued to ANGELA J. RAMIREZ,
Respondent

BEFORE THE TEXAS

**BOARD OF NURSING** 

#### FORMAL CHARGES

This is a disciplinary proceeding under Section 301.452(b), Texas Occupations Code. Respondent, ANGELA J. RAMIREZ, is a Registered Nurse holding license number 1057559, which is in current 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 April 20, 2023, Respondent's license to practice professional nursing in the State of Illinois was suspended through an Order by the State of Illinois, Department of Financial and Professional Regulation, Division of Professional Regulation. A copy of the Order, dated April 20, 2023, is attached, and incorporated, by reference.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(8), Texas Occupations Code.

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, <u>www.bon.texas.gov</u>.

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CONTINUED ON NEXT PAGE.

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, <a href="https://www.bon.texas.gov">www.bon.texas.gov</a>.

Filed this 27th day of September, 2023.

### TEXAS BOARD OF NURSING

James W. Johnston, General Counsel
Board Certified - Administrative Law
Texas Board of Legal Specialization
State Bar No. 10838300
John Vanderford, Deputy General Counsel
State Bar No. 24086670
JoAnna Starr, Assistant General Counsel
State Bar No. 24098463
Jacqueline A. Strashun, Assistant General Counsel
State Bar No. 19358600

1801 Congress Avenue, Suite 10-200 Austin, Texas 78701 P: (512) 305-8657 F: (512) 305-8101 or (512) 305-7401

D(2023.07.24)

# STATE OF ILLINOIS DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION DIVISION OF PROFESSIONAL REGULATION

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION		)	
of the State of Illinois,	Complainant,	)	
	٧.	)	Case No. 2018-11034
ANGELA RAMIREZ License No. 041.305210,	Respondent.	)	

#### ORDER

This matter comes before the Director of the Division of Professional Regulation of the Illinois

Financial and Professional Regulation ("Department"), the Board of Nursing ("Board") having made certain

Findings of Fact, Conclusions of Law, and a Recommendation to the Director; and the Department having

complied with all required notices. Respondent having filed a Motion For Rehearing on October 5, 2020 pursuant to

a Twenty Day Notice which was granted November 16, 2020 and re-docketed for March 15, 2021; Respondent

defaulted a second time on September 14, 2021; filed a Second Motion for Rehearing on December 27, 2021; and

Respondent's second Motion for Rehearing was denied on February 14, 2023.

Now therefore, I, Director Cecilia Abundis, do hereby adopt the Findings of Fact, Conclusions of Law, and Recommendation of the Board. It is therefore ordered that Respondent's registered professional nurse license no. 041.305210 is indefinitely suspended.

This Order is a final administrative decision. You have a right to judicial review of all final administrative decisions of the Department, pursuant to the provisions of the Code of Civil Procedure, Administrative Review Law ("Law"), 735 ILCS 5/3-103, and the rules adopted pursuant to the Law. Any action filed pursuant to the Law shall name the following parties as Defendants at the specified address: Illinois Department of Financial and Professional Regulation and Cecilia Abundts as Director of the Division of Professional Regulation, 555 West Monroe Street, Suite 500, Chicago, Illinois 60661. The effective date of this Order is the date when it is signed by the Director unless otherwise stated.

DATED THIS 20th DAY OF April	, 2023.
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ILLINOIS DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION SECRETARY MARIO TRETO, JR.

Director Cecilia Apundos

Division of Professional Regulation

### STATE OF ILLINOIS DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION DIVISION OF PROFESSIONAL REGULATION

DIVISION OF PROFESSIONAL REGULATION OF
THE ILLINOIS DEPARTMENT OF FINANCIAL
AND PROFESSIONAL REGULATION, Complainant.

V.

ANGELA J. RAMIREZ.
License No. 041.305210, Respondent.

)

Case No. 2018-11034

IMENTY DAY NOTICE

To: Angela J. Ramirez

Please take notice that the Illino's Board of Nursing ("Board"), after hearing and considering evidence presented in the above case, has recommended the registered nurse license of Angela J. Ramirez, license no. 041 305210, be INDEFINITELY SUSPENDED. A copy of the Findings of Fact and Conclusions of Law and Recommendation are attached hereto.

You are hereby notified that you have twenty (20) days from the date this notice is mailed to file with the Division of Professional Regulation of the Illinois Department of Financial and Professional Regulation your written Motion for a Rehearing. Said Motion shall specify the particular ground for a Rehearing. Said Motion should be sent to:

Illinois Department of Financial and Professional Regulation,
Division of Professional Regulation, Hearings Unit
Chief Administrative Law Judge
555 West Monroe, 5th Floor
Chicago, Illinois 60661
FPR.ChiRecords@illinois.gov

The Director of this Division may grant oral argument on this Motion if she deems it necessary for a clearer understanding of the issues presented

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION ACTING SECRETARY MARIO TRETO, JR.

COM

Constance Dahl
Health Related Prosecutions Attorney
Illinois Department of Financial & Professional Regulation
Division of Professional Regulation
555 West Monroc, 5th Floor
Chicago, Illinois 60661
Constance.Dahlaillinois.gov

State of Illinois	}					
	) Case No. 2019-11034					
County of Cook	)					
Under penalties, as provided by law pursuant to Section 1-109 of the Illinois Code of Civil Procedure, the undersigned certifies that I caused the attached Twenty Day Notice to be sent via email pursuant to Department of Professional Regulation Law, 20 ILCS 2105.2105-7, before 5:00 pm CST on the 30th day of November 2021, to person(s) at the address(es) listed on the attached documents.						
Affiant						

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## STATE OF ILLINOIS DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION DIVISION OF PROFESSIONAL REGULATION

HE ILLINOIS DEPARTMENT OF FINANCIAL ND PROFESSIONAL REGULATION Complainant,		)	Case No. 2018-11034
ANGELA J. RAMIREZ, License No. 041.305210,	Respondent.	)	

### FINDINGS OF FACT CONCLUSIONS OF LAW AND RECOVINENDATION TO THE ACTING DIRECTOR

Now comes the Board of Nursing ("Board") of the Division of Professional Regulation of the Illinois Department of Financial and Professional Regulation ("Department") and, after reviewing this matter, a majority of its members hereby renders the following Findings of Fact, Conclusions of Law, and Recommendation to the Acting Director:

### FINDINGS OF ENCY

- 1. Respondent Angela F. Ramirez ("Respondent") holds Illinois registered nurse license no. 041.305210, issued by the Department. Respondent's license is presently in active status.
- 2. At all relevant times, the Department had the power and duty to investigate and discipline license holders and to take action pursuant to the Nurse Practice Act ("Act") 225 ILCS 65/et seq. and the Act's Administrative Rules 68 IAC 1300/et seq.
- 3. At all times relevant, Respondent was employed by Northwest Community Health System in Arlington Heights, IL ("facility") as a registered nurse ("RN").
- 4. On December 27, 2019, the Department filed a Complaint against Respondent and sent notice of said Complaint to Respondent's email address of record
- 5. Count I of the Complaint alleged that on or about March 13, 2017, Respondent entered a Return to Work agreement with the facility
- 6 Count I of said Complaint alleged that on or about October 30, 2018, Respondent was working at the facility as an RN.

- 7. Count I of said complaint alleged Respondent was scheduled for an 11:00 a.m. shift in the emergency room at the facility.
- 8. Count I of said complaint alleged Respondent arrived at approximately 11:26 a.m., late for her scheduled shift.
- 9 Count I of said Comptaint alleged that on or about October 30, 2018, Respondent was terminated from her employment at the facility for alleged testing positive for alcohol.
- 10. Count I of said Complaint alleged that the foregoing acts or omissions of Respondent are in violation of 225 ILCS 65 70-5(b)(7) that states, in part: grounds for discipline include... dishonorable, unethical or unprofessional conduct of a character likely to deceive, defraud or harm the public."
- Count Lof said Complaint alleged that the foregoing acts or omissions of Respondent are grounds for the Department to discipline Respondent's license pursuant to the Act at 225 ILCS 68.70-5(b)(7) and 68 IAC 1300.90.
- Count II of said Complaint alleged Respondent engaged in habitual use of alcohol.
- 13. Count II of said Complaint alleged that the foregoing acts or omissions of Respondent are in violation of 225 ILCS 65 70-5(b)(9).
- 14. Count III of said Complaint alleged that Respondent failed to report to the Department adverse final action taken against her by a healthcare institution related to the foregoing allegations.
- Count III of said Complaint alleged that the foregoing acts or omissions of Respondent are in violation of 225 ILCS 65 70-5(b)(16)
- Count III of said Complaint alleged that the foregoing acts or omissions of Respondent are grounds for the Department to discipline Respondent's license pursuant to the Act at 225 ILCS 65.70-5(b)(16).
- 17. Respondent failed to appear, in person or by counsel, for a preliminary hearing on February 3, 2020.
- On February 3, 2020, the Administrative Law Judge ordered that Respondent file an Answer to the Department's Complaint on or before March 2, 2020. Said date has now passed and no Answer has been filed by or on behalf of the Respondent.

- 19. June 8, 2020, the Administrative Law Judge found Respondent in default for failure to appear or answer and transferred this matter to the Board for deliberation on the pleadings.
- The Administrative Law Judge granted the Department's oral motion and found that the Respondent's failure to file an answer is deemed an admission of the allegations in the Complaint pursuant to 68 IAC 1110.120 (c).
- 21. On July 10, 2020, the Board of Nursing deliberated and recommended indefinite suspension of Respondent's license.
- 22. On September 30, 2020, a 20 day notice was sent to Respondent at her email address of record.
- On October 20, 2020, Respondent filed a Motion for Rehearing.
- 24. On January 11, 2021, a telephone status hearing was held.
- 25. On March 15, 2021, a telephone status hearing was held
- 26. On May 3, 2021, a telephone status hearing was held.
- 27 On July 19, 2021, a telephone status hearing was held. Respondent failed to appear. Respondent was ordered to answer on or before August 23, 2021 and was ordered to attend a status hearing set for September 13, 2021.
- 28. Respondent failed to appear for a telephone hearing on September 13, 2021.
- 29. September 13, 2021, the Administrative Law Judge found Respondent in default for failure to appear or answer and transferred this matter to the Board for deliberation on the pleadings.
- 30. The Administrative Law Judge granted the Department's oral motion and found that the Respondent's failure to file an answer is deemed an admission of the allegations in the Complaint pursuant to 68 IAC 1110.120 (c).
- The allegations set forth in the above described Complaint are true and correct.

### COLICT IS NOW OF FAM

- The Board has jurisdiction over the subject matter and the parties in this case.
- 2. Respondent violated the Act at 225 ILCS 65 70-5(b)(7) (9) and (16), in that the acts or omissions of Respondent constitute dishonorable, unethical, or unprofessional conduct of a character likely to deceive,

defraud or harm the public, habitual use of alcohol and failure to report to the Department adverse final action taken against her by a healthcare institution related to the foregoing allegations.

### SECOMMERCIATION

The Board of Nursing of the Department of Financial and Professional Regulation of the State of Illinois, Division of Professional Regulation, after making the above Findings of Fact and Conclusions of Law, recommends to Cecilia Abundis, Acting Director of the Department of Financial and Professional Regulation of the State of Illinois, Division of Professional Regulation, that the registered nurse license no. 041.305210 of Respondent shall be INDEFINITELY SUSPENDED. Upon filing a Petition for Restoration, Respondent must provide proof of evaluation by a certified addictionologist or an advanced practice nurse with specialty certification in addictions, and meet the recommendations of the assessment. If Respondent remains out of practice for five (5) years, Respondent must present evidence of successful completion of a Department-approved licensure examination (NCLEX).

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DATED THIS 5th DAY OF November 2021

CHATRPERSON, ILLINOIS STATE BOARD OF NURSING



Division of Professional Regulation

https://idfpr.illincis.gov

JB PRITZKER Governor MARIO TRETO, JR. Secretary

CECILIA ABUNDIS
Director

### FORMAL DISCIPLINARY DOCUMENT

I do hereby certify this is a complete, true and accurate copy of the document on file with the Illinois Department of Financial and Professional Regulation.

Marid Treto, Jr.

Secretary

Division of Professional Regulation

