



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  
 Executive Director  
 Texas Board of Nursing

**In the Matter of  
 Permanent Vocational Nurse  
 License Number 300444  
 Issued to ERICA WARFORD,  
 Respondent**

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

**ORDER OF THE BOARD**

TO: Erica Warford  
 7739 Watersedge Cv  
 San Antonio, TX 78254

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 Vocational Nurse License Number 300444, previously issued to ERICA WARFORD 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. Benton, DNP, RN*

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

Attachment: Formal Charges filed October 10, 2023

d17r(2023.11.10)

Re: Permanent Vocational Nurse License Number 300444  
Issued to ERICA WARFORD  
DEFAULT ORDER - REVOKE

CERTIFICATE OF SERVICE

I hereby certify that on the 13<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

Erica Warford  
7739 Watersedge Cv  
San Antonio, TX 78254

Copy Via USPS First Class Mail

add any CC addresses

BY: Kristin K. Benton, DNP, RN

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



## Texas Board of Nursing

811 Congress Avenue, Suite 100 Austin, TX 78701  
Phone: (512) 305-7400 Fax: (512) 305-7431 [info@nbn.texas.gov](mailto:info@nbn.texas.gov)  
Kristin K. Benton, DNP, RN  
*Executive Director*

October 10, 2023

Certified Mail No. 9214 8901 9403 8300 0033 1898 01  
Return Receipt Requested, Copy Via USPS First Class Mail

Erica Warford  
7739 Watersedge Cv  
San Antonio, TX 78254

Dear Ms. Warford:

Enclosed are Formal Charges which have been filed concerning your nursing license(s) because your pending alleged violation(s) of Section 301.452(b) of the Nursing Practice Act, TEXAS OCCUPATIONS CODE, have not been resolved. Within three (3) weeks from the date of this letter, you **must file a written answer to each charge** admitting or denying each allegation. If you intend to deny only part of an allegation, you must specify those facts that are true and deny the remainder. Your answer shall also include any other matter, whether of law or fact, upon which you intend to rely for your defense. Send your written answer to the attention of Tamika Rose, Investigator, at the above address. You may obtain legal counsel at your own expense.

**FAILURE TO FILE A WRITTEN ANSWER TO THE FORMAL CHARGES, EITHER PERSONALLY OR BY LEGAL REPRESENTATIVE, WILL RESULT IN THE ALLEGATIONS CONTAINED IN THE FORMAL CHARGES BEING ADMITTED AS TRUE AND THE PROPOSED RECOMMENDATION OF STAFF WILL BE GRANTED BY DEFAULT.**

If a written answer to the Formal Charges is not received within three (3) weeks from the date of this letter, this matter will proceed on a default basis and it will be staff's recommendation that a default order be entered revoking your license(s) and/or nurse licensure compact privilege(s) to practice nursing in the State of Texas.

The result of any disciplinary action, including any default order or formal disposition (Board Order), is public information. Dispositions, including default orders and formal dispositions, will appear in the Board's quarterly newsletter and will be reported to the National Council of State Boards of Nursing, Inc., and the National Practitioner Data Bank (NPDB).

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Kathy Shipp, MSN, APRN, FNP  
Lubbock, *President*

Allison Porter-Edwards, DrPH, MS, RN, CNE  
Bellaire, *Vice-President*

Erica Warford  
October 10, 2023  
Page 2

Should you desire to discuss this matter, contact Tamika Rose, Investigator, at (512) 305-6812.

Sincerely,

*Kristin K. Benton, DNP, RN*

Kristin K. Benton, DNP, RN  
Executive Director

KKB/230

Enclosure: Formal Charges

DA(2023.10.10)

**In the Matter of  
Permanent Vocational Nurse  
License Number 300444  
Issued to ERICA WARFORD,  
Respondent**

§ **BEFORE THE TEXAS**  
§  
§  
§ **BOARD OF NURSING**  
§

### **FORMAL CHARGES**

This is a disciplinary proceeding under Section 301.452(b), Texas Occupations Code. Respondent, ERICA WARFORD, is a Vocational Nurse holding license number 300444, 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 August 22, 2021, Respondent failed to successfully complete the Board's online course, Understanding Board Orders, as required by the Agreed Order issued on July 22, 2021.

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 July 22, 2022, Respondent failed to successfully complete a Board approved course in Texas nursing jurisprudence and ethics as required by the Agreed Order issued on July 22, 2021.

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 July 22, 2022, Respondent failed to successfully complete the course Sharpening Critical Thinking Skills as required by the Agreed Order issued on July 22, 2021.

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](http://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](http://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 July 22, 2021.

Filed this 10 day of October, 2023.

TEXAS BOARD OF NURSING

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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

Attachment(s): Order(s) of the Board dated July 22, 2021.

D(2023.07.26)

BEFORE THE TEXAS BOARD OF NURSING

\*\*\*\*\*

In the Matter of § AGREED ORDER  
Vocational Nurse License Number 300444 §  
issued to ERICA WARFORD §  
§

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of ERICA WARFORD, Vocational Nurse License Number 300444, 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 Agreed Order approved by Katherine A. Thomas, MN, RN, FAAN, Executive Director, on September 15, 2020.

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 current status.
4. Respondent received a Certificate in Vocational Nursing from Vista College, El Paso, Texas, on March 25, 2011. Respondent was licensed to practice vocational nursing in the State of Texas on April 26, 2011.
5. Respondent's nursing employment history includes:

4/2011 - Unknown	Unknown	
Unknown	Licensed Vocational Nurse	Texas Specialty Lubbock, Texas



Respondent's nursing employment history continued:

7/2012 – 10/2014	Licensed Vocational Nurse	Brightstar Lubbock, Texas
9/2016 – 3/2017	Licensed Vocational Nurse	Adaptive Health Services San Antonio, Texas
2/2014 – 5/2018	Licensed Vocational Nurse	National Nursing and Rehabilitation San Antonio, Texas
6/2018 – Present	Licensed Vocational Nurse Home Health Nurse	Thrive Skilled Pediatric Care Austin, Texas

6. At the time of the incident, Respondent was employed as a Licensed Vocational Nurse working as a Home Health Nurse with Thrive Skilled Pediatric Care, Austin, Texas, and had been in that position for three (3) months.
7. On or about September 24, 2018, while employed as a Vocational Nurse, working as a Home Health Nurse with Thrive Skilled Pediatric Care, Austin, Texas, and providing care for Patient Medical Record Number SAN8400-PDN, a nine-year-old tracheostomy dependent patient, Respondent failed to report heart rate and respirations persistently outside normal parameters to the physician. Respondent's conduct was likely to injure the patient from lack of medical treatment for vital signs persistently out of normal range.
8. In response to Finding of Fact Number Seven (7), Respondent reports she called the physician and left a message to call back as soon as possible, because of the patient's condition and because the patient's mother did not want to call 911 at this time. Respondent reports the physician's office called back the day after her shift, when she was not there.

#### 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),(1)(P)&(2)(A) and 22 TEX. ADMIN. CODE §217.12(1)(A),(1)(B)&(4).

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 300444, heretofore issued to ERICA WARFORD.
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. 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. **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](http://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 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. 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. **Incident Reporting:** While employed as a Licensed Vocational Nurse with Thrive Skilled Pediatric Care, Austin, Texas, RESPONDENT SHALL CAUSE each employer to immediately submit any and all incident, counseling, variance, unusual occurrence, and medication or other error reports involving RESPONDENT, as well as documentation of any internal investigations regarding action by RESPONDENT, to the attention of Monitoring at the Board's office.
- D. **Indirect Supervision:** Should Respondent's employment as a Licensed Vocational Nurse with Thrive Skilled Pediatric Care, Austin, Texas cease or change, the following terms apply for the remainder of the order, if any: 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 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 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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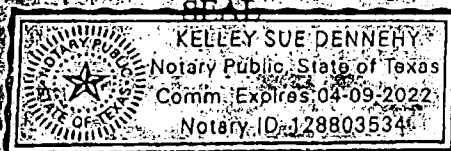
RESPONDENT'S CERTIFICATION

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 7<sup>th</sup> day of June, 2021

Erica Warford  
ERICA WARFORD, RESPONDENT

Sworn to and subscribed before me this 7<sup>th</sup> day of June, 2021



Kelley Dennehy  
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 7<sup>th</sup> day of June, 2021, by ERICA WARFORD, Vocational Nurse License Number 300444, and said Agreed Order is final.

Effective this 22<sup>nd</sup> day of July, 2021.



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