

In the Matter of
Registered Nurse License Number 534622
issued to SYLVIA SALAZ

§
§
§

BEFORE THE TEXAS
BOARD OF NURSING



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

NUNC PRO TUNC ORDER OF THE BOARD

TO: Sylvia Salaz
5609 96th Street
Lubbock, TX 79424

On June 14, 2011, an Agreed Order for Sylvia Salaz was entered by the Texas Board Nursing (Board). Page 2 of the Order contains an error, in that it omits reference to "Reprimand with Stipulations and a Fine" and instead refers to "Reprimand". The Order contains various stipulations and requirements for the payment of a fine. Upon notice and hearing, administrative agencies, like the Courts, have the power to enter nunc pro tunc orders where it can be seen by reference to a record that what was intended to be entered, but was omitted by inadvertence or mistake, can be corrected upon satisfactory proof of its rendition provided that no intervening rights will be prejudiced. *Railroad Comm'n v. McClain*, 356 S.W.2d 330, 334 (Tex. App.--Austin 1962, no writ) (citing *Frankfort Ky. Nat. Gas Co. v. City of Frankfort*, 276 Ky. 199, 123 S.W.2d 270, 272).

The Executive Director, as agent of the Board, after review and due consideration of the record and the facts therein, invalidates the Agreed Order for Sylvia Salaz that is dated June 14, 2011, and submits and enters the corrected Order of the Board, which corrects the error on page 2 of the Order and correctly refers to "Reprimand with Stipulations and a Fine". No other changes have been made to the Order. Ms. Salaz has received due process regarding her license; therefore, her rights have not been prejudiced.

NOW, THEREFORE, IT IS ORDERED that the corrected Agreed Order is hereby approved and entered on the dates set forth below.

Order effective June 14, 2011.

Entered this 1st day of March, 2012.

TEXAS BOARD OF NURSING

BY:

Handwritten signature of Katherine A. Thomas in cursive.

KATHERINE A. THOMAS, MN, RN
EXECUTIVE DIRECTOR, ON BEHALF OF THE BOARD

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of Registered Nurse § AGREED
License Number 534622 §
issued to SYLVIA SALAZ § ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of SYLVIA SALAZ, Registered Nurse License Number 534622, hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may have violated TEX. REV. CIV. STAT. ART. 4525(b)(2)&(9), (effective September 1, 1981). Respondent waived representation by counsel, informal proceedings, notice and hearing, and agreed to the entry of this Order offered on December 1, 2010, by Katherine A. Thomas, MN, RN, Executive Director, subject to ratification by the Board.

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 representation by counsel, informal proceedings, notice and hearing, and agreed to the entry of this Order.
3. Respondent is currently licensed to practice professional nursing in the State of Texas.
4. Respondent received a Diploma in Nursing from Methodist Hospital, Lubbock, Texas, on June 6, 1986. Respondent was licensed to practice professional nursing in the State of Texas on August 22, 1986.
5. Respondent's nursing employment history is unknown.

6. On or about June 6, 1986, Respondent submitted a Registration by Examination to the Texas Board of Nursing. On the Application, Respondent answered "No" to the question which reads: "Have you ever been convicted of a crime other than minor traffic violations."

Respondent failed to disclose that on or about November 2, 1978, Respondent entered a plea of Guilty and was convicted of FORGERY (a Third Degree felony offense committed on July 26, 1977), in the 137th District Court of Lubbock County, Texas, under Cause No. 18,217. As a result of the conviction, Respondent was sentenced to confinement in the Texas State Penitentiary for a period of four (4) years; however, the imposition of sentence of confinement was suspended and Respondent was placed on probation for a period of four (4) years. On or about December 1, 1982, Respondent was discharged from probation.

7. In response to Finding of Fact Number Six (6), Respondent states: she was very young and it was a very bad time in her life. She is very regretful and remorseful for not coming forward with this. Respondent would also like the Board to know that in 24 years as a nurse she has never gotten into trouble especially with the law, had so much as a complaint by a patient or patient's family and has never been involved in any kind of litigation.

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 of TEX. REV. CIV. STAT. ART. 4525(b)(2)&(9), (effective September 1, 1981), and 22 TEX. ADMIN. CODE §217.13(15), (effective September 1, 1981).
4. The evidence received is sufficient cause pursuant to Section 301.452(b), Texas Occupations Code, to take disciplinary action against Registered Nurse License Number 534622, heretofore issued to SYLVIA SALAZ, including revocation of Respondent's license(s) to practice nursing in the State of Texas.

ORDER

IT IS THEREFORE AGREED and ORDERED, subject to ratification by the Texas Board of Nursing, that RESPONDENT SHALL receive the sanction of a REPRIMAND WITH STIPULATIONS AND A FINE, and RESPONDENT SHALL comply in all respects with 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.* and this Order.

IT IS FURTHER AGREED and ORDERED that this Order SHALL be applicable to Respondent's nurse licensure compact privileges, if any, to practice nursing in the State of Texas.

IT IS FURTHER AGREED and ORDERED that while Respondent's license(s) is/are encumbered by this Order, Respondent may not work outside the State of Texas pursuant to a nurse licensure compact privilege without the written permission of the Texas Board of Nursing and the Board of Nursing in the party state where Respondent wishes to work.

IT IS FURTHER AGREED that:

(1) RESPONDENT SHALL pay a monetary fine in the amount of five hundred dollars (\$500.00). RESPONDENT SHALL pay this fine within forty-five (45) days of entry of this Order. Payment is to be made directly to the Texas Board of Nursing in the form of cashier's check or U.S. money order. Partial payments will not be accepted.

(2) RESPONDENT SHALL, within one (1) year of entry of this Order, successfully complete a course in Texas nursing jurisprudence and ethics. RESPONDENT SHALL obtain Board approval of the course prior to enrollment only if the course is not being offered by a pre-approved provider. Home study courses and video programs will not be approved. In order for the course to be approved, the target audience shall include nurses. It 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. RESPONDENT SHALL CAUSE the sponsoring institution to submit a Verification of Course

Completion form, provided by the Board, to the Office of the Board to verify RESPONDENT'S successful completion of the course. This course shall be taken in addition to any other courses stipulated in this Order, if any, and in addition to any continuing education requirements the Board has for relicensure. *Board-approved courses may be found at the following Board website address:*
<http://www.bon.state.tx.us/disciplinaryaction/stipscourses.html>

IT IS FURTHER AGREED, that upon full compliance with the terms of this Order, all encumbrances will be removed from RESPONDENT'S license(s) to practice nursing in the State of Texas and RESPONDENT shall be eligible for nurse licensure compact privileges, if any.

BALANCE OF THIS PAGE INTENTIONALLY LEFT BLANK.

CONTINUED ON NEXT PAGE.

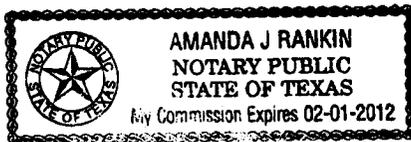
RESPONDENT'S CERTIFICATION

I understand that I have the right to legal counsel prior to signing this Agreed Order. I waive representation by counsel. I have reviewed this Order. I neither admit nor deny the violation alleged herein. By my signature on this Order, I agree to the Findings of Fact, Conclusions of Law, 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 Board. When this Order is ratified, the terms of this Order become effective, 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 revocation of my license(s) to practice nursing in the State of Texas, as a consequence of my noncompliance.

Signed this 19 day of April, 2011.
Sylvia Salaz
SYLVIA SALAZ, Respondent

Sworn to and subscribed before me this 19th day of April, 2011.

SEAL



Amanda Rankin
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 19th day of April _____, 20 11 , by SYLVIA SALAZ, Registered Nurse License Number 534622, and said Order is final.

Effective this 14th day of June _____, 20 11 .



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

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of Registered Nurse § AGREED
License Number 534622 §
issued to SYLVIA SALAZ § ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of SYLVIA SALAZ, Registered Nurse License Number 534622, hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may have violated TEX. REV. CIV. STAT. ART. 4525(b)(2)&(9), (effective September 1, 1981). Respondent waived representation by counsel, informal proceedings, notice and hearing, and agreed to the entry of this Order offered on December 1, 2010, by Katherine A. Thomas, MN, RN, Executive Director, subject to ratification by the Board.

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 representation by counsel, informal proceedings, notice and hearing, and agreed to the entry of this Order.
3. Respondent is currently licensed to practice professional nursing in the State of Texas.
4. Respondent received a Diploma in Nursing from Methodist Hospital, Lubbock, Texas, on June 6, 1986. Respondent was licensed to practice professional nursing in the State of Texas on August 22, 1986.
5. Respondent's nursing employment history is unknown.

6. On or about June 6, 1986, Respondent submitted a Registration by Examination to the Texas Board of Nursing. On the Application, Respondent answered "No" to the question which reads: "Have you ever been convicted of a crime other than minor traffic violations."

Respondent failed to disclose that on or about November 2, 1978, Respondent entered a plea of Guilty and was convicted of FORGERY (a Third Degree felony offense committed on July 26, 1977), in the 137th District Court of Lubbock County, Texas, under Cause No. 18,217. As a result of the conviction, Respondent was sentenced to confinement in the Texas State Penitentiary for a period of four (4) years; however, the imposition of sentence of confinement was suspended and Respondent was placed on probation for a period of four (4) years. On or about December 1, 1982, Respondent was discharged from probation.

7. In response to Finding of Fact Number Six (6), Respondent states: she was very young and it was a very bad time in her life. She is very regretful and remorseful for not coming forward with this. Respondent would also like the Board to know that in 24 years as a nurse she has never gotten into trouble especially with the law, had so much as a complaint by a patient or patient's family and has never been involved in any kind of litigation.

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 of TEX. REV. CIV. STAT. ART. 4525(b)(2)&(9), (effective September 1, 1981), and 22 TEX. ADMIN. CODE §217.13(15), (effective September 1, 1981).
4. The evidence received is sufficient cause pursuant to Section 301.452(b), Texas Occupations Code, to take disciplinary action against Registered Nurse License Number 534622, heretofore issued to SYLVIA SALAZ, including revocation of Respondent's license(s) to practice nursing in the State of Texas.

ORDER

IT IS THEREFORE AGREED and ORDERED, subject to ratification by the Texas Board of Nursing, that RESPONDENT SHALL receive the sanction of a REPRIMAND, and RESPONDENT SHALL comply in all respects with 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.* and this Order.

IT IS FURTHER AGREED and ORDERED that this Order SHALL be applicable to Respondent's nurse licensure compact privileges, if any, to practice nursing in the State of Texas.

IT IS FURTHER AGREED and ORDERED that while Respondent's license(s) is/are encumbered by this Order, Respondent may not work outside the State of Texas pursuant to a nurse licensure compact privilege without the written permission of the Texas Board of Nursing and the Board of Nursing in the party state where Respondent wishes to work.

IT IS FURTHER AGREED that:

(1) RESPONDENT SHALL pay a monetary fine in the amount of five hundred dollars (\$500.00). RESPONDENT SHALL pay this fine within forty-five (45) days of entry of this Order. Payment is to be made directly to the Texas Board of Nursing in the form of cashier's check or U.S. money order. Partial payments will not be accepted.

(2) RESPONDENT SHALL, within one (1) year of entry of this Order, successfully complete a course in Texas nursing jurisprudence and ethics. RESPONDENT SHALL obtain Board approval of the course prior to enrollment only if the course is not being offered by a pre-approved provider. Home study courses and video programs will not be approved. In order for the course to be approved, the target audience shall include nurses. It 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. RESPONDENT SHALL CAUSE the sponsoring institution to submit a Verification of Course

Completion form, provided by the Board, to the Office of the Board to verify RESPONDENT'S successful completion of the course. This course shall be taken in addition to any other courses stipulated in this Order, if any, and in addition to any continuing education requirements the Board has for relicensure. *Board-approved courses may be found at the following Board website address:*
<http://www.bon.state.tx.us/disciplinaryaction/stipscourses.html>

IT IS FURTHER AGREED, that upon full compliance with the terms of this Order, all encumbrances will be removed from RESPONDENT'S license(s) to practice nursing in the State of Texas and RESPONDENT shall be eligible for nurse licensure compact privileges, if any.

BALANCE OF THIS PAGE INTENTIONALLY LEFT BLANK.

CONTINUED ON NEXT PAGE.

RESPONDENT'S CERTIFICATION

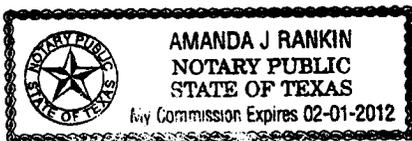
I understand that I have the right to legal counsel prior to signing this Agreed Order. I waive representation by counsel. I have reviewed this Order. I neither admit nor deny the violation alleged herein. By my signature on this Order, I agree to the Findings of Fact, Conclusions of Law, Order, and 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 Board. When this Order is ratified, the terms of this Order become effective, 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 revocation of my license(s) to practice nursing in the State of Texas, as a consequence of my noncompliance.

Signed this 19 day of April, 2011.

Sylvia Salaz
SYLVIA SALAZ, Respondent

Sworn to and subscribed before me this 19th day of April, 2011.

SEAL



Amanda Rankin

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 19th day of April , 20 11 , by SYLVIA SALAZ, Registered Nurse License Number 534622, and said Order is final.

Effective this 14th day of June , 20 11 .



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